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Note by the Secretary-General

The Secretary-General has the honour to transmit to the Security Council the nineteenth quarterly report on the activities of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) (see annex). It is submitted by the Acting Executive Chairman of UNMOVIC in accordance with paragraph 12 of Security Council resolution 1284 (1999) of 17 December 1999.

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Annex

Nineteenth quarterly report on the activities of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)

I. Introduction

1. The present report, which is the nineteenth submitted in accordance with paragraph 12 of Security Council resolution 1284 (1999), covers the activities of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) during the period from 1 September to 30 November 2004.

II. Developments

2. During the period under review, the Acting Executive Chairman has continued the practice of briefing the respective Presidents of the Security Council, representatives of Member States and officials of the Secretariat on the activities of UNMOVIC.

3. The comprehensive report of Charles Duelfer, the Special Adviser to the United States Director of Central Intelligence for Iraq's Weapons of Mass Destruction, was released to the public on 6 October. Mr. Duelfer and a team from the United States-led Iraq Survey Group visited UNMOVIC on 8 October to present their findings, the scope of their work and the methodology used in carrying out their work in Iraq and noted in particular that extensive documentation still had to be analysed. UNMOVIC is studying the public report and is comparing its own knowledge and findings with those of the Survey Group. Initial comments on specific findings of the report are attached (see appendix). It should be noted that UNMOVIC does not have access to any of the supporting documentation, interview testimony or details of site inspections carried out.

Status of sites, equipment and materials subject to monitoring

4. During the period under review, the Commission's experts have continued to use commercial satellite imagery to assess the status of sites subject to monitoring, many of which have sustained damage since the withdrawal of inspectors in March 2003, and in some cases have been razed or otherwise compromised. Those sites contained a range of dual-use equipment and materials whose status is unknown, except for those identified in scrap yards outside Iraq.

5. Two sites of particular significance given their involvement in Iraq's past weapons programmes, and their size and inventory of weapons of mass destruction-related material are the Muthanna State Establishment and Al Qaa Qaa State Establishment. The following is a summary of the changes observed at locations within these sites and the types of material once located there, as determined by past UNMOVIC inspections and satellite imagery:

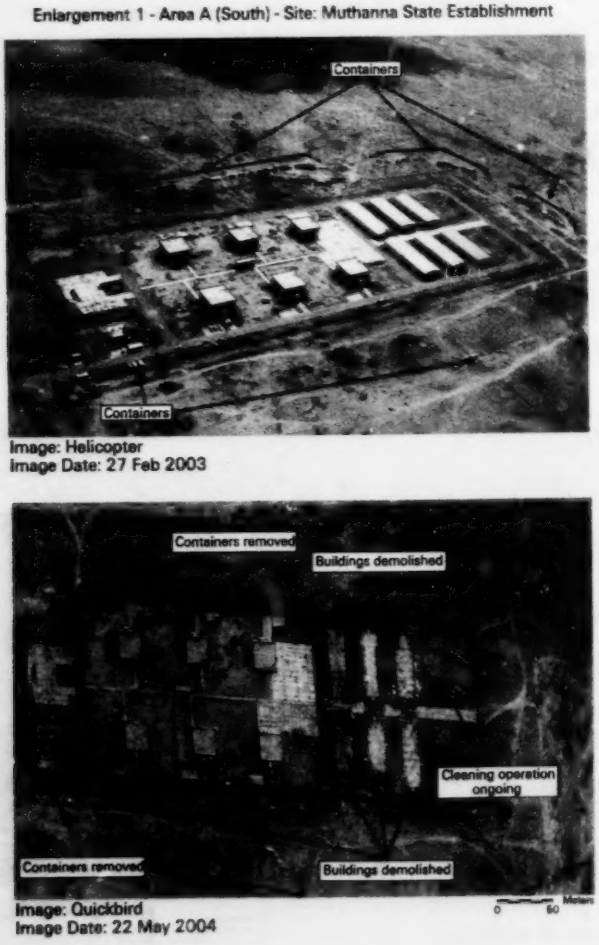
The Muthanna State Establishment

6. The Muthanna State Establishment was Iraq's prime chemical weapon research, production and storage facility (see figure 1). Most of its structures were destroyed or heavily damaged by aerial bombardment during the 1991 Gulf war. After the adoption of Security Council resolution 687 (1991), all chemical weapon-related activities at the site were terminated. In the period from 1991 to 1994, the Establishment was used by Iraq as a dedicated area for the destruction of chemical weapons, under international supervision, including munitions and bulk agents, precursor chemicals and remaining chemical process equipment. This was outlined in appendix I of the eighteenth report of UNMOVIC (S/2004/693). All hazardous wastes resulting from the destruction of chemical weapons were sealed at several structures and areas of the site. These included two bunkers, one of which contained hundreds of 122-mm artillery rockets that had been filled with the nerve agent sarin in the 1980s, that could now have been degraded. These rockets were damaged by aerial bombardment in 1991. This bunker also had containers used in the past for the storage of chemical weapon agents, as well as toxic chemicals, such as some 100 tons of cyanides and some tens of kilograms of arsenic salt. The other bunker contained hundreds of empty 155-mm chemical artillery shells, possibly having residual chemical weapon contamination. Chemical process equipment that had been destroyed or rendered harmless was placed in another dedicated area within the Muthanna site. In 1994, the Muthanna site was closed and a hand-over protocol was signed by Iraq and United Nations Special Commission returning control of the site to Iraq and stating specific procedures to be followed by Iraq regarding the management of sealed structures and areas.

Figure 1
Muthanna State Establishment, Iraq's main chemical weapons production facility

7. After the withdrawal from Iraq, UNMOVIC continued its observation and evaluation of the Muthanna area through commercial satellite imagery, paying special attention to the sealed structures. As of May 2004, no changes at the area of the two sealed bunkers were observed. Analysis of imagery revealed that some structures other than the sealed ones within the area that contained old equipment destroyed or rendered harmless during the period from 1991 to 1994 had been demolished and removed, together with other equipment (see figure 2). This equipment (reactors, heat exchangers, distillation columns and tanks etc.), although rendered harmless, was not fully destroyed in the 1990s, and Iraq had earlier repaired several items of this equipment and had used them for non-proscribed activities at other commercial chemical facilities. UNMOVIC verified these repaired items and had designated them for destruction. However, the destruction of this equipment as well as other equipment remaining at Muthanna was not completed because of the withdrawal of UNMOVIC from Iraq.

Figure 2
Storage area at Muthanna: razing of buildings



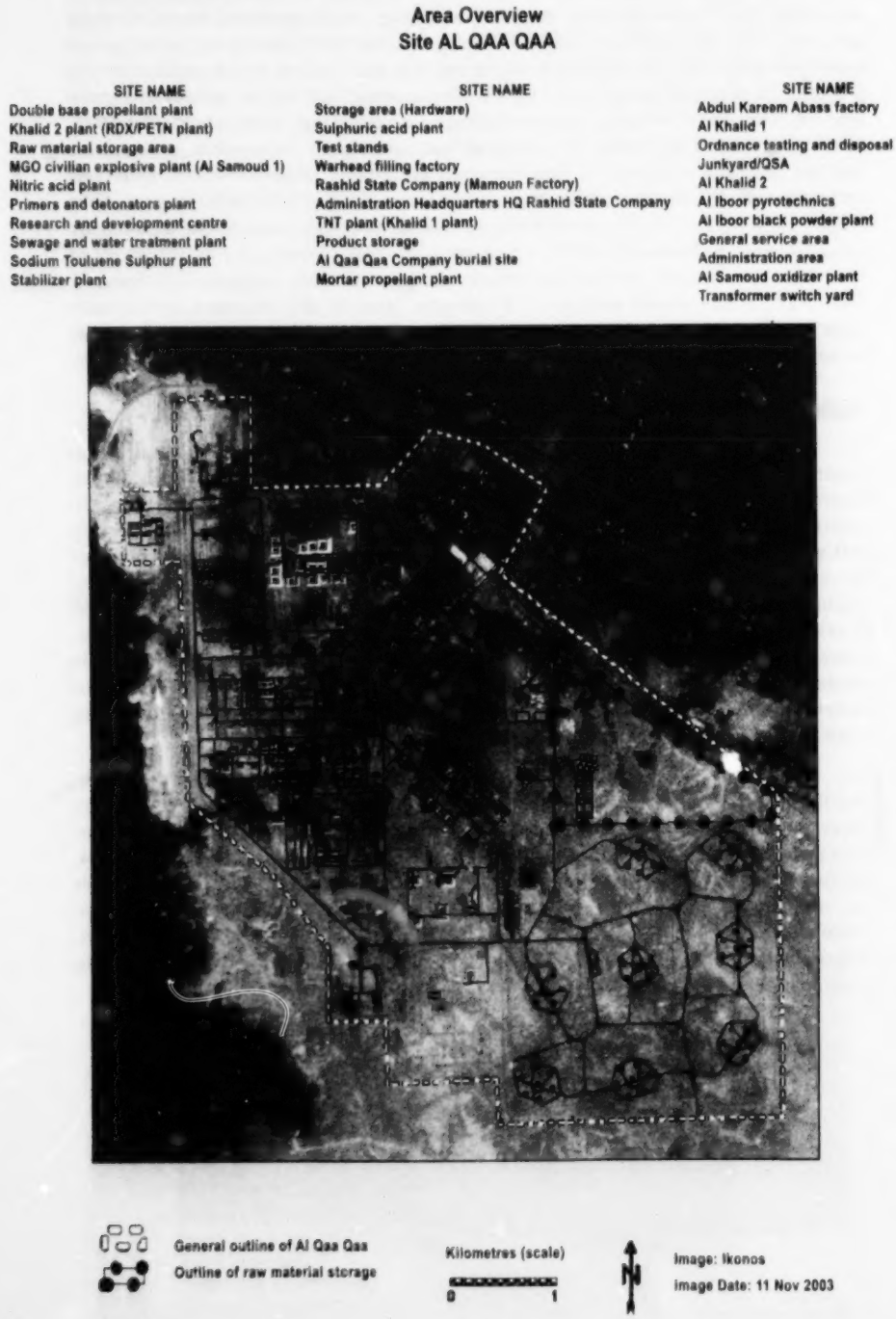
8. The report of the Iraq Survey Group provides information regarding the current status of the Muthanna Facility which facilitates the Commission's overall assessment of the site which was subject to monitoring. It is stated that all sealed structures at the site had been breached and some equipment and materials were removed. The Iraq Survey Group further reported that stockpiles of chemical munitions were still stored in the bunkers and that the bunkers tested positive for the presence of chemical weapon agents. The Group noted that this is not unusual given the munitions once stored there and conditions in which they were stored post-1994. Further, the report states that the extent of looting makes it impossible to determine whether the Government of Iraq removed equipment after 1998, or if it was removed after March 2003. However, in December 2002, UNMOVIC inspected the bunker area of the Facility and found all sealed structures intact and guarded by Iraqi security. In the early 1990s, it had not been possible to make an inventory of the damaged bunker containing filled artillery rockets because of hazards. Therefore, it was sealed with tons of concrete. Now, if this structure has actually been breached as stated by the Iraq Survey Group in its report, there can no longer be any certainty about whether all its contents are intact.

Al Qaa Qaa State Establishment

9. Al Qaa Qaa State Establishment, a subsidiary of the Military Industrialization Commission, is one of the major weapons-related industrial complexes in Iraq (see figure 3). Extending over an area of about 30 km^2, it comprises more than 20 administratively distinct production sub-units and several stores, weapons testing and waste disposal sites, shared among all of its facilities. The main objectives of the site were the production and storage of explosives, propellants and missile oxidiser, the filling of conventional munitions and warheads, and research and development activities related to missile and rocket systems. The range of weapons-related capabilities present at Al Qaa Qaa made this one of the most capable production centres within the Military Industrialization Commission's system of enterprises. An analysis of what has occurred at one sub-site may provide an illustration of what has taken place at this site since March 2003.

10. Analysis of satellite imagery (of 11 November 2003) revealed that more than one third of the 1,100 structures at Al Qaa Qaa are destroyed. Some of this damage seems to have been caused by fire. Extensive looting may also be responsible for wrecked buildings and missing installations and equipment. As of November 2004, the fate of about 800 pieces of declared chemical equipment known to have been at the site is uncertain. This includes about 100 heat exchangers, 60 storage vessels/receivers, 12 separators, and more than 60 columns and reactors. Approximately 200 missile-related items were also present at Al Qaa Qaa, including more than 60 mixers or kneaders, 8 extruders and 20 conventional warheads.

Figure 3
Overview of Al Qaa Qaa State Establishment



Chemical raw materials stores at Al Qaa Qaa

11. When the chemical raw materials stores, mainly missile propellant-related, were inspected by an UNMOVIC team in December 2002, the stores were found to be well organized, although some of the buildings that had been damaged by military attacks in 1991 had still not been refurbished. The inspection team recorded a full inventory of the stores and was able to compare its findings with the records provided by site personnel. The stores were inspected again in February and March 2003 by other UNMOVIC teams in order to verify the materials at the site.

12. Analysis of satellite imagery of November 2003 reveals that all buildings at the chemical raw materials stores have been destroyed (see figure 4). Some buildings appear to have war damage, but most damage seems to be the result of wide-scale and intensive fires. This assessment is supported by the inventory of materials at Al Qaa Qaa made during the re-baseline inspections in 2002/03. Given the nature of chemicals in those stores (a variety of propellant and stabilizer materials, including 3 tons of aluminium-magnesium alloy, 23 tons of magnesium powder, 2.2 tons of hydrazine hydrate, 2.5 tons of 2-nitrodiphenylamine), any event causing these materials to catch fire could create damage such as that shown on the satellite images. For example, powdered metals like aluminium or magnesium react violently with air when ignited, reaching temperatures of 2,000° C. Finely dispersed, powders of metals and graphite may also result in dust explosions when sources of ignition are present while other chemicals would enhance the combustion reactions. Therefore, it cannot be excluded that the majority of the materials known to have been there during the period of United Nations inspections have been destroyed.

Figure 4
Storage area at Al Qaa Qaa: razing of buildings

Site : Raw Material Storage (chemicals)
at Al Qaa Qaa
Image: Ikonos
Image Date: 10 Mar 2002
Image: Quickbird
Image Date: 11 Nov 2003

III. Other activities

Destruction of SA-2 missile engines and other items

13. As noted in the Commission's last quarterly report (S/2004/693), various items that had been under monitoring in Iraq had been located in June 2004 at scrap yards in Jordan, including 20 SA-2 engines. With support from the Government of Jordan, these engines and three more found later by the Jordanian authorities, together with four other missile and chemical-related dual-use items, were destroyed in Jordan during August and October 2004, in the presence of an UNMOVIC inspector. Late

in November, the Netherlands authorities destroyed, in the presence of an UNMOVIC inspector, the 22 SA-2 missile engines found in a Rotterdam scrap yard.

Compendium

14. The Commission has continued its work on producing a compendium of Iraq's proscribed weapons and programmes with an emphasis on lessons learned. An updated summary of the structure and main contents of the various chapters of the compendium was presented to the College of Commissioners during their November meeting. It is expected that the first complete draft will be ready by March 2005.

Ongoing monitoring and verification plan

15. Paragraph 26 of the plan for ongoing monitoring and verification approved by the Security Council in resolution 715 (1991) allows UNMOVIC, after informing the Security Council, to update and revise the annexes of items and materials to which the plan applies. As part of this process, early in November 2004, the Commission convened a panel of external technical experts to assist in conducting a technical review of the provisions concerning biological matters and the associated annex (annex III) of the ongoing monitoring and verification plan approved by Security Council resolution 715 (1991). The panel met for three days and made specific recommendations on items covered by the plan, in the light of the United Nations experience of monitoring and verification and bio-technical advances. It is envisaged that similar review processes will be conducted for the chemical and missile provisions and related annexes. Once the whole process is completed, the revised annexes will be submitted for the information of the Security Council.

IV. Other issues

Field offices

16. UNMOVIC retains a core staff of nine local nationals in Baghdad who maintain the existing offices, laboratories and other equipment at the Canal Hotel. An inventory of remaining UNMOVIC equipment in Baghdad was undertaken by the local staff.

17. The Cyprus Field Office continues to store and maintain UNMOVIC inspection and monitoring equipment recovered from Iraq. The Republic of Cyprus extended to 30 October 2005 the agreement with UNMOVIC and the International Atomic Energy Agency (IAEA) to use the Cyprus Field Office for storage, and as a staging area for staff and supplies should inspections resume.

18. The UNFICYP field security coordinator visited the Field Office in October to assess security precautions in place in offices and warehouse. Whenever appropriate, the staff of the Field Office has continued to work with Customs in Larnaca facilitating shipments of other United Nations agencies and to provide logistics support to UNAMI flight operations.

UNMOVIC network of analytical laboratories

19. To maintain the availability of the network of analytical laboratories established in accordance with the UNMOVIC organizational plan (S/2000/292 and Corr.1) and addressed in its sixteenth quarterly report to the Security Council,

UNMOVIC has initiated action to extend existing arrangements for an additional year, until early 2006. This will provide a total of 11 analytical laboratories available to support the work of the Commission, when so requested. The list of laboratories was set out in appendix II of document S/2004/160.

Staffing

20. There have been few changes in the staffing levels of UNMOVIC since the last report. UNMOVIC staff in the Professional category at Headquarters comprises a total of 51 weapons experts and other personnel drawn from 25 nationalities, 9 of whom are women.

Technical visits, meetings and workshops

21. The Acting Executive Chairman attended the forty-eighth General Conference of IAEA in Vienna in September and visited the Cyprus Field Office at the end of November.

22. UNMOVIC experts have participated in a number of international conferences during the period under review. These included a conference in the Ukraine on the problems of development of laboratories belonging to the system of epidemiological surveillance on dangerous infections and an IAEA-sponsored information technology conference in New York on the acquisition and exploitation of data. An UNMOVIC expert attended the United Nations Geographic Information Workshop in Geneva, which focuses on the establishment of United Nations standards for remote sensing. He also gave a presentation to the Organization for Security and Cooperation in Europe on UNMOVIC geographic information systems and remote sensing techniques. Finally, he gave a presentation on UNMOVIC lessons learned from aerial monitoring to a conference of members of the Treaty on Open Skies in Stockholm.

Training

23. A biotechnology training course for experts on the UNMOVIC roster was conducted in Brazil from 11 to 22 October. Sixteen experts from 15 countries and UNMOVIC staff attended the course, which was devoted to enhancing the trainees' technical knowledge and practical skills to conduct monitoring of biological production facilities. The Commission is grateful to the Government of Brazil for the support it provided for the course, and in particular for the provision of access to specialized facilities required for the course.

V. College of commissioners

24. The UNMOVIC College of Commissioners convened in New York for its seventeenth regular session on 17 and 18 November. As on previous occasions, observers from the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons attended.

25. The Acting Executive Chairman briefed the Commissioners on the activities of UNMOVIC since their last meeting. A presentation was made to the College on the Commission's initial comments on the comprehensive report of the Special Adviser to the United States Director of Central Intelligence on Iraq's Weapons of Mass

Destruction. Presentations were also made with respect to the compendium, including a list of the proposed chapters and a brief outline of their contents, and on the Muthanna State Establishment site.

26. The College expressed its appreciation to the Acting Executive Chairman for his oral statement, which raised a number of important issues related to possible future operations in Iraq and for his comments on the report of the Iraq Survey Group. The College also welcomed and discussed the extensive presentations by UNMOVIC staff.

27. The College agreed that the compendium under preparation would be valuable in the context of lessons learned and in identifying proliferation indicators for use in the future. It supported the Chairman's intention to complete a first draft by March 2005. The College welcomed the recent visit to UNMOVIC of Charles Duelfer and his colleagues and hoped that this initial contact would lead to a continuing dialogue at the working level between the two bodies. The College reiterated its support for the UNMOVIC continuing training programme for its inspectors at Headquarters and on the roster as a means of maintaining the existing expertise and experience. The College took note of the work currently under way on the revision of the annexes to the ongoing monitoring and verification plan for Iraq and the Commission's intention to examine adjustments to the focus of the monitoring procedures with respect to quantities of weapons of mass destruction which are not of military significance, due to their potential interest to non-State actors. In doing so, it was pointed out that the nature and scope of any possible ongoing monitoring and verification system, including issues of access, would depend on decisions to be taken by the Security Council. Finally, the College expressed its appreciation of the continuing dedication, experience and expertise of the UNMOVIC staff.

28. It was decided to hold the next meeting on 22 and 23 February 2005 in New York.

29. In accordance with paragraph 5 of resolution 1284 (1999), the Commissioners were consulted on the contents of the present report.

Appendix

UNMOVIC initial comments on the report of the Iraq Survey Group

General

1. The scope of the comprehensive report of Charles Duelfer, the Special Adviser to the United States Director of Central Intelligence for Iraq's Weapons of Mass Destruction, is broader than the scope of Iraq's obligations related to weapons of mass destruction under Security Council resolutions. Thus, the report addresses many issues that are outside the UNMOVIC mandate, such as the role of Saddam Hussein in Iraq, the structure of the former Government of Iraq, regime decision-making process, foreign policy, finance and budgeting and use of oil revenues by the regime. The stated goals of the report regarding Iraq's weapons of mass destruction are to provide facts concerning Iraq's experience with weapons of mass destruction, a dynamic analysis rather than simple static accounting of the debris found, and an account of the regime's activities, trends and directions with respect to weapons of mass destruction.

2. The report presents some information new to UNMOVIC in all of the weapons of mass destruction areas and in varying degrees of detail. Some of this new information has added to the Commission's knowledge, and supports its understanding of Iraq's proscribed weapons programmes.

3. For each of the weapons of mass destruction areas, the report first lists the key findings of the Iraq Survey Group, including its conclusions and judgements. Following these key findings, an overview of Iraq's proscribed programmes is presented, which in most cases is interspersed with the data gathered by the Group. In its historical overview of the proscribed programmes, the report draws heavily on Special Commission and UNMOVIC reports and documents, as well as Iraqi declarations.

4. The report does not include all information on specific activities conducted by the Iraq Survey Group, including lists of all sites visited or evaluated, description of on-site activities carried out therein, and weapons of mass destruction-related documents and records found by the Group in Iraq. It is evident from the report that a major source of information was the Iraqi individuals questioned by the Group. Many of these individuals had in the past also been interviewed by the Special Commission and UNMOVIC. Only some of the Iraqis questioned by the Group are named in the report. The report does not provide a record of their main statements.

5. The report indicates that while the Iraq Survey Group found no evidence of stocks of weapons of mass destruction or bulk agents or the reactivation of proscribed programmes in Iraq, it did not exclude the possibility of small quantities of weapons of mass destruction remaining in Iraq. In many instances, especially regarding Iraq's intentions, the report does not include substantiating information to support the judgements and assumptions it contains.

6. Through an evaluation of Iraq's dual-use capabilities, the report discusses Iraq's possible intentions to restart weapons of mass destruction activities in the event sanctions were lifted. The report does not consider what impact post-sanctions monitoring, as adopted by the Security Council in 1991, might have had. Similarly, the report also does not address the disposition and accounting for dual-use items

and materials kept under the United Nations monitoring system in the past. It does, however, acknowledge on several occasions the efficacy of United Nations inspections in preventing the possible re-acquisition of weapons of mass destruction by Iraq.

7. The report states that the Iraqi intelligence apparatus had sought to compromise the integrity of the inspection process during the period from 1991 to 2003. It would be useful to have a better understanding of any impact such activities may have had. United Nations weapons inspections in Iraq were conducted on the assumption that they would be subject to Iraqi intelligence-gathering activities and had implemented appropriate measures to protect the integrity of the inspection process.

8. Following is a summary of comments by subject area of the information contained in the report that is relevant to the mandate of UNMOVIC, i.e., related to weapons of mass destruction disarmament and ongoing monitoring and verification.

Procurement by Iraq of dual-use items and materials pertaining to weapons of mass destruction

9. Several issues in the procurement section of the report of the Iraq Survey Group are outside the scope of the UNMOVIC mandate and are not addressed here.

10. The report indicates that, since 1997, Iraq's former Military Industrialization Commission had led Iraq's efforts to obtain military equipment and dual-use items and materials pertaining to weapons of mass destruction. These efforts were supported by other Iraqi governmental organizations, such as the Ministry of Higher Education and Scientific Research, the Ministry of Foreign Affairs and the Iraqi Intelligence Service. The Military Industrialization Commission operated a network of associated front companies with subsidiaries in Iraq and abroad. Specific examples were provided in the report to illustrate the procurement by Iraq of items and materials for its missile programmes. The report also provided some new details of the functioning of Iraq's procurement network.

11. The information on procurement presented by the Iraq Survey Group largely corresponds to that obtained by UNMOVIC from inspection activities, interviews and discussions with Iraqi officials, evaluation of retrieved computer files, as well as declarations provided by Iraq. UNMOVIC knew that the Military Industrialization Commission had established and operated a procurement network comprising governmental and private Iraqi trading companies linked to foreign firms, multiple intermediaries, chains of foreign suppliers, bank accounts and transportation companies operating in Iraq and abroad. This information was addressed in the seventeenth quarterly report of UNMOVIC (S/2004/435).

12. The report contains some new details of Iraq's procurement activities that were not known to UNMOVIC, including the involvement of additional Iraqi and foreign entities. On the other hand, not all of Iraq's procurement transactions known to UNMOVIC are directly addressed in the report, for example, relating to specific missile contracts. Thus, it is possible that a combination of the data available to UNMOVIC together with the findings of the Iraq Survey Group may provide a more comprehensive picture of Iraq's past procurement activities.

13. The information in the report on Iraq's procurement of missile-related items, components and materials correlate well with UNMOVIC findings. UNMOVIC

found evidence that, from 1999 to 2002, Iraq had procured materials, equipment and components for its missile programmes. In several instances the items procured were used by Iraq in the production of the Al Samoud-2 missile system that was determined by UNMOVIC in February 2003 to be proscribed. The procurement activity included the acquisition of components and equipment for the manufacture and testing of missile guidance and control systems and different pieces of missile-related production equipment and technology.

14. The report states that after 1991 Iraq had procured dual-use items and materials pertaining to weapons of mass destruction. UNMOVIC would need to have access to the supporting data to understand what linkage existed to proscribed chemical or biological weapon activity or intentions to resume such activity.

15. UNMOVIC inspections revealed that, during the period from 1999 to 2002, Iraq had procured a variety of dual-use biological and chemical items and materials, including chemicals, equipment and spare parts. However, UNMOVIC has found no evidence that these were used or planned to be used for chemical weapon or biological weapon purposes. Although some of these goods may have been acquired by Iraq outside the framework established under Security Council resolutions, most of them were declared by Iraq to UNMOVIC in its 1998-2002 backlog of semi-annual monitoring declarations provided by Iraq in October 2002. These included the acquisition by Iraq of some declarable chemical process equipment and chemicals that were used by Iraq for non-proscribed purposes but were procured outside the scope of the notification mechanism adopted by the Security Council in resolution 1051 (1996).

Biological weapons

16. The report of the Iraq Survey Group on Iraq's biological weapon programme largely confirms the understanding of UNMOVIC. Much of the information, which relates to the history of the programme up to 1991, is also contained in various Iraqi declarations to the United Nations, Security Council document S/1999/94 and the publicly available UNMOVIC cluster document given to the Security Council on 7 March 2003. The results from interviews conducted by the Iraq Survey Group have generally reinforced information contained in earlier Iraqi statements and declarations, such as the 1996 full, final and complete declarations, the December 2002 biological weapon currently accurate, full and complete declaration, supporting documents, interviews and discussions held by UNMOVIC in 2003. Much of the Iraq Survey Group assessment refers to possibilities and intentions rather than demonstrating continuation of a biological weapon programme.

17. Intensive searches and enquiries by the Iraq Survey Group have not revealed the existence of any new biological weapon production or research facilities, undeclared biological bulk agents, competing programmes, weapon systems, or scientists not previously known.

18. Perhaps the most significant new information regarding the past biological weapon programme in the report concerns the bulk production and disposal of anthrax. Interviews conducted by the Iraq Survey Group resulted in more testimony, similar to that obtained by the Special Commission, substantiating the claim that greater quantities of anthrax were produced than declared at Al Hakam and possibly the foot and mouth disease vaccine plant. According to the report, "information obtained by the Iraq Survey Group from several sources with access to Iraq's former

biological weapon programme, and other related historical information show that Saddam's regime probably did not declare the production of thousands of litres of *B. anthracis*". UNMOVIC had estimated in the cluster document that an additional 7,000 litres of agent could have been produced based on the capacity of available production equipment, growth media availability and production time to mid-January 1991. Information in the report on growth media usage and unaccounted for stainless steel storage tanks indicates that the total quantity of anthrax production remains an unresolved issue.

19. The new information, which relates to the disposal of bulk quantities of anthrax in the Radwaniyah area of Baghdad in 1991, suggests that it was destroyed and dumped about three kilometres from one of the presidential palaces. Sampling and analysis data confirming the information could shed important light on this. The report notes that the persons interviewed had offered several different accounts of the fate of the bulk anthrax produced before 1992. However, most of the statements were consistent in placing the date of destruction of the bulk anthrax agent sometime in 1991. The report maintains that since there has been no documentary evidence in support of these statements, it was not possible to reach definitive conclusions.

20. With regard to the two trailers found in 2003, the report concludes that they were designed for the production of hydrogen and not biological weapon agent. This accords with the UNMOVIC analysis based solely on open source data. The Iraq Survey Group does not discount the possible existence of mobile biological weapon agent production facilities; there is no evidence available to UNMOVIC that Iraq had produced or acquired such facilities.

21. The report states that, despite extensive investigations, the Group found no evidence that Iraq either possessed or was working on smallpox as a biological weapon agent. The report notes that vials suspected of containing vaccine were in fact mislabelled and found to contain *Brucella antisera*. The use by Iraqi scientists of incorrectly marked vials or ampoules, including those of smallpox vaccine, is similar to the previous findings of the Special Commission and of UNMOVIC investigations in December 2002.

22. The report's findings and conclusions with regard to dual-use facilities are consistent with inspection reports and activities conducted by both the Special Commission and UNMOVIC. The Iraq Survey Group conclusion that there was no evidence of proscribed activity since 1991 is consistent with the UNMOVIC assessment. The status of a number of microbiological isolates and dual-use equipment declared by Iraq, which had been subject to UNMOVIC monitoring, remains a question.

23. Another significant unresolved biological weapon issue is the fate of the agent seed stocks prepared from imported vials of biological weapon agent stocks. The report concurs with the UNMOVIC position that the statement by a senior Iraqi scientist to United Nations inspectors and the Iraq Survey Group that sometime in the early 1990s an official order had been given to destroy them could not be verified. This remains one of the UNMOVIC verification concerns.

24. Overall, the Iraq Survey Group report provides useful information on the biological weapon programme derived from interviews, on-site activities and sampling and analysis, which adds to the UNMOVIC knowledge of the programme.

Because of limited data, inconsistencies in interview results and sometimes unsubstantiated sole source reporting, many of the conclusions in the report include caveats.

Chemical weapons

25. The report of the Iraq Survey Group states that Iraq's chemical weapon programme had been crippled by the 1991 Gulf war and judges that Iraq unilaterally destroyed its undeclared chemical weapons stockpile in 1991. The report adds that the Group had found no evidence of any active chemical weapon-related research or production activity. The report also determines that Iraq had not abandoned its desire to resume a chemical weapon programme should sanctions be lifted and the conditions favourable. It also concludes that Iraq had retained expertise and capabilities in all of the relevant areas: research, production and weaponization.

26. The report indicates that, in addition to the 14 empty 122-mm chemical artillery rockets found by UNMOVIC, during the period from March 2003 to September 2004, the Iraq Survey Group had found a further 53 old chemical munitions, an analysis of which indicated the presence of remnants of chemical weapon agents and their degradation products. All of the munitions were identified as having been produced before 1991.

27. The unresolved issue of accounting for approximately 550 pieces of 155-mm mustard-filled artillery shells continues to be of concern to UNMOVIC as analytical tests by UNMOVIC in 2003 of identical shells had shown they contained mustard of high purity. Over a period of time, in its declarations to the United Nations, Iraq offered several different explanations of the fate of the shells, none of which were satisfactory to the Special Commission or UNMOVIC. It would appear from the report that many of the same explanations were given to the Iraq Survey Group by former Iraqi officials. However, the report also includes a new explanation, namely, that the shells had not been destroyed and that as late as March 2003 they had been in the possession of the Special Republican Guard. Further information on this matter would be useful.

28. One of the most important chemical weapon disarmament issues identified by UNMOVIC relates to Iraq's research, production and disposal during the period 1990-1991 of the nerve agent VX and its precursors. The report states that Iraq had not adequately explained and accounted for its VX production and weaponization activities. According to the report, the Iraq Survey Group relied primarily on the interview of an Iraqi scientist who appears to have repeated information from Iraq's declarations and claims to have supervised the unilateral destruction of bulk VX agent and have knowledge of the destruction of its precursors. The report further provides the information that three aerial bombs that Iraq declared as having been filled with VX for stability tests and destroyed after the tests had failed, had actually been dropped in an undisclosed area in the Islamic Republic of Iran in 1988. There is no indication in the report of the source of this information or of any corroborating evidence. Concerning other unresolved chemical weapon issues, the report does not contain any new information as to why traces of VX degradation products were found on fragments of missile warheads, the quantities of VX Iraq produced in 1990 and the method of production followed by Iraq as well as on the results of research on VX carried out in that year. These and other VX-related questions are raised in the UNMOVIC cluster document.

29. The report of the Iraq Survey Group also includes an assessment of Iraq's intentions to conserve its capability to resurrect a chemical weapon programme, including VX. According to the report, in 1996, Iraq began implementing, and coordinated until 2003, large and important projects for the indigenous production of chemicals to improve its self-sufficiency in their availability. The report draws attention to three commercially available chemicals listed in an Iraqi document entitled "Programme for the indigenous production of chemicals". The Group cites their usefulness for VX production by one of the methods known to have been studied by Iraq. However, the report does not indicate whether the programme had any connection with VX or any other chemical weapon agent. It is noted that the production of any nerve agent, such as VX, would also require certain specific organophosphoric precursors not listed in the Iraqi document. These precursors do not have much civilian application and are not commonly available worldwide.

30. The report states that Iraq's chemical industry had the capability to restore chemical weapon production as a result of improvements achieved during the period 1996-2003. It also states that Iraq probably had the capability to produce large quantities of sulphur mustard in a short time, using locally available chemicals. At the same time, it recognizes that Iraq's industry was still struggling with serious shortages in many areas. UNMOVIC inspected all key facilities potentially capable of involvement in a chemical weapon programme and determined that some of them could be adapted for such a purpose, but only with major reconfiguration of the equipment.

31. The report states that the Iraq Survey Group also investigated the Iraqi Intelligence Service and its possible relationship with Iraq's biological and chemical weapon programmes. The report provides detailed information on "a set of covert laboratories to produce, research and test various chemical compounds", which were maintained throughout the period 1991-2003 by the Iraqi Intelligence Service. The information provided suggests the laboratories had pursued research and production of small-scale, delayed-action assassination methods. Information from interviews suggested that ricin, sulphur mustard, nitrogen mustard, and sarin might have been used or synthesized by these laboratories. The report points out that the Group found it difficult to draw definitive conclusions from its interviews because of conflicting and inconsistent information, a lack of physical evidence or forensic data. The report also states that the available evidence on the Iraqi Intelligence Service programme, which includes results from sampling and analysis, was not strong enough to conclude that this activity was related to the biological or chemical weapon programmes. It is not clear from the report that the laboratories would have met the relevant criteria regarding activities, equipment and materials that would make them subject to monitoring. UNMOVIC had been aware of the historical involvement between the Iraqi Intelligence Service and Iraq's weapons of mass destruction programmes, including allegations of human testing, and some of the facilities were inspected in the past.

Missiles

32. The information contained in the report of the Iraq Survey Group does not change the accounting of the Scud missiles from earlier calculations made by United Nations inspectors. The Group stated that it had obtained some relevant documentation on the matter that Iraq had not provided to UNMOVIC. As was the case with the Special Commission and UNMOVIC, the Group was unable to

account for 2 out of 819 imported Scud missiles. Nevertheless, the report concludes that the weight of evidence suggests that Iraq did not retain any Scud missiles after 1991.

33. From 1999 until 2002, Iraq pursued two major missile programmes, the liquid propellant Al Samoud-2 and the solid propellant Al Fatah. The report states that up to 36 Al Samoud-2 missiles were unaccounted for, based on unconfirmed comments from interviewees and reports from coalition forces. Using similar information, the Iraq Survey Group estimated that up to 34 Al Fatah missiles also remained unaccounted for. Additionally, according to the Group, Iraq had imported more than 680 SA-2 engines after 1998. Iraq had declared to UNMOVIC only 380 SA-2 engines imported during that period.

34. When UNMOVIC inspectors were withdrawn from Iraq, the destruction of the proscribed Al Samoud-2 missiles and associated items was still in progress. As UNMOVIC reported to the Security Council in its thirteenth report, 25 Al Samoud-2 missiles remained to be destroyed as well as 326 SA-2 engines and 38 Al Samoud-2 warheads. The Al Fatah missiles, on which no decision had been made whether they were proscribed, were monitored by UNMOVIC inspectors until they withdrew from Iraq. At that time, UNMOVIC had recorded 37 complete Al Fatah missiles plus 12 that were still in production. The Iraq Survey Group reported that it had been unable to reconcile the status of the Al Samoud-2 inventory and that a full accounting of Al Fatah missiles may not be possible. It did not report on the status of any SA-2 engines. The status of all these items remains a question.

35. The report describes several missile projects which would have had proscribed ranges that were undertaken during the period 1999-2002 when United Nations inspectors were absent. These included liquid propellant missiles using clustered SA-2 engines, the conversion of SA-2 surface-to-air missiles to surface-to-surface missiles, a large solid propellant missile and the conversion of the HY-2 anti-ship missile to a land-attack cruise missile called Project Jenin. The Iraq Survey Group information on these projects was drawn largely from interviews with Iraqi individuals. Many of these interviews, however, produced a conflicting or inconsistent picture as to the nature, scope and progress of the programmes. It is difficult to assess the significance of other items obtained by the Group and presented in the report. For example, the Iraqi engineering drawings of clustered SA-2 engines and of a launcher for the large solid propellant missile appear rudimentary and there is little technical detail provided of the helicopter engine under modification for use in Project Jenin. UNMOVIC commented on Iraq's development work on missiles in its fifteenth quarterly report to the Security Council (S/2003/1135).

36. The report of the Iraq Survey Group notes improvements in Iraq's infrastructure that would increase its ability to produce large solid propellant motors. One example cited was that of Iraq rebuilding and using a previously destroyed large solid propellant mixer. The mixer was said to have been destroyed again by Iraq before the return of inspectors. UNMOVIC has no evidence suggesting that this had occurred. Such a mixer would have been essential for a large solid propellant missile programme.

37. According to the report, after 1998, Iraq had contacted certain foreign countries in an attempt to acquire long-range delivery systems and to assist in Iraq's

indigenous missile programmes. UNMOVIC had been unaware of the extent of this post-1998 procurement effort.

38. The report includes some new information on Iraq's programmes for remotely piloted vehicles and unmanned aerial vehicles. The report's conclusion that Iraq's recent programmes for such vehicles were designed for conventional military purposes, such as surveillance, electronic warfare and air defence, and not for the delivery of chemical or biological weapon agents is in line with that reached by UNMOVIC and reported in its eighteenth quarterly report (S/2004/693).

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Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan

Security Council
Fifty-ninth year

The situation in Afghanistan and its implications for international peace and security

Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan

Report of the Secretary-General

Summary

The present report describes the progress made with regard to the implementation of the Bonn Agreement by the Transitional Administration, with assistance of the United Nations Assistance Mission in Afghanistan. It also describes key political and humanitarian developments in Afghanistan from 1 December 2003 to 22 November 2004.

The report highlights the achievement of two key milestones of the Bonn Agreement: the approval of the new Constitution by the Constitutional Loya Jirga and the holding of the presidential election. While these two events represent major advances towards the building of a democratic Afghanistan, the report also notes with concern the continuing instability and insecurity in the country.

The report emphasizes that considerable challenges remain before the holding of the parliamentary elections scheduled for spring 2005, including progress in disarmament, demobilization and reintegration, counter-narcotics activities and security-sector reform, and that continued engagement by the international community, in particular the provision of sufficient security, is critical.

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The rehabilitation of the education system, refugee repatriation and relief, recovery and reconstruction efforts by the United Nations, with an emphasis on supporting the Government's development plan, continued during the reporting period. The human rights situation remains of serious concern.

The general success of the electoral process showed the determination of the Afghan people to have democratic government. However, the agenda facing the newly elected Government is significant. The report concludes that continued and further support by the international community will be necessary to fulfil the letter and the spirit of the Bonn Agreement.

I. Introduction

1. The present report is submitted pursuant to General Assembly resolutions 58/27 A and B of 5 December 2003 and Security Council resolution 1536 (2004) of 26 March 2004. The report provides a summary of key political and humanitarian developments in Afghanistan as well as of the activities of the United Nations Assistance Mission in Afghanistan (UNAMA) from 1 December 2003 to 22 November 2004. The issues covered in the report are described in more detail in the periodic reports to the General Assembly and Security Council submitted during 2004 (A/58/742-S/2004/230 and A/58/868-S/2004/634).

II. Implementation of the Bonn Agreement

A. The political process

2. The Bonn Agreement of 5 December 2001 mapped out a process whereby provisional governing institutions would gradually increase in legitimacy, culminating in a fully representative Government after the holding of free and fair elections. The legitimacy of the Government would be rooted in a new Constitution. During the period under review, two major tasks of the Bonn Agreement were successfully completed: the approval of the new Constitution by the Constitutional Loya Jirga in January 2004 and the holding of the presidential election in October 2004.

Constitutional reform

3. The process of drafting the new Constitution began in November 2002 and continued through most of 2003 (see A/58/616, para. 8). The Constitutional Loya Jirga was convened in Kabul on 10 December 2003 to finalize and ratify the draft Constitution. A total of 502 delegates attended, of whom 20 per cent were women. On 4 January 2004, the delegates approved the new Constitution.

4. A central feature of the Constitutional Loya Jirga was that many positions on issues seemed to be decided on a regional or ethnic basis. Positions on issues such as the nationality of ministers, the timing of the elections and the national language, came down to either a political or a symbolic context, and sometimes both, between representatives from the north and those from the south. The role of Islam was the subject of another important debate, this time between fundamentalists and more secular-minded Afghans. The final text agreed to bear the imprint of these debates. It provides for a pure presidential system, but one that places a great emphasis on parliamentary control of the executive. The Constitution vests most powers in the central Government and does not devolve much authority to the provinces. It also calls for an independent judiciary, headed by a Supreme Court, and a legal framework that is consistent with the "beliefs and prescriptions" of Islam. In an important measure to advance national unity, the Constitution explicitly includes all minority groups in the definition of the nation and recognizes Dari and Pashto as official languages, and other languages as official in the area where the majority speaks them. The Constitution provides equal rights to men and women and guarantees that women will make up at least 25 per cent of the representatives in the lower house of parliament.

Election process

5. The Bonn Agreement called for elections to be held in June 2004 — or two years after the convening of the Emergency Loya Jirga — and also requested the United Nations to carry out a voter registration exercise. The latter occurred in two phases, the first between December 2003 and April 2004 and the second between May and August 2004. In the first phase, 1.9 million voters were registered in the eight main urban centres. The second phase, in which registration teams were extended to provincial capitals and rural areas, resulted in the registration of a further 8.6 million Afghans. At the end of registration, 41 per cent of the 10.5 million registered voters were women.

6. On 8 July, the Chairman of the United Nations-Afghan Joint Electoral Management Body — the independent commission mandated to conduct and supervise Afghanistan's electoral process — formally announced that the presidential election would be held on 9 October and parliamentary elections would be held in the Afghan month of Saur (20 April-20 May) 2005. While legal and technical difficulties provided a sufficient case for delaying and separating the elections, the Joint Electoral Management Body also noted widespread concern in Afghanistan about the lack of disarmament and the fear that this could prejudice the conduct and outcome of the parliamentary elections. It therefore called upon the Government and the international community to continue and intensify, ahead of the presidential and parliamentary elections, their efforts to strengthen the national armed forces and achieve broader disarmament, in order to create a safer environment for candidates and voters to express themselves freely.

7. The presidential election, which was contested by 18 candidates, including one woman, was held on schedule on 9 October. Despite fears that the process might be attacked by anti-Government elements, no major security incidents occurred. A number of opposition candidates, however, raised serious allegations regarding the fairness of the process, including problems with the use of indelible ink to mark voters' thumbs and assertions of undue influence on voters by polling staff and candidates' representatives. Those opposition candidates issued an appeal midway through the polling for voters to boycott the ballot. The boycott was largely ignored by voters: 8,128,940 ballots were cast, representing 70 per cent of the registered voters. Forty per cent of voters were women. Polling also took place in Pakistan and the Islamic Republic of Iran, where over 580,000 and 240,000 Afghan refugees, respectively, voted. The elections were followed by some 5,321 domestic and 121 international observers and monitors, 22,000 party agents and 52,000 agents of candidates, as well as national and international media.

8. In the days after the ballot most of the candidates who had called for a boycott continued to allege serious irregularities and called for the reopening of some polling centres and for their complaints to be investigated by an independent panel. While the Joint Electoral Management Body did not agree to the former, it did request UNAMA to nominate an independent panel of international electoral experts to investigate their complaints. The panel's report to the Joint Electoral Management Body, which was made public on 2 November, found that the irregularities observed did not have a material impact on the overall outcome of the election. President Karzai won the election with 55.4 per cent of the vote. He was followed by Yonous Qanooni, with 16.3 per cent, Haji Mohammad Mohaqeq, with 11.6 per cent, and Abdul Rashid Dostum, with 10 per cent. The remaining 14 candidates each received

less than 2 per cent of the votes, and collectively 6 per cent. The candidates agreed to accept the election results.

9. A preliminary analysis of the final results suggests that, as with the Constitutional Loya Jirga, the assertion of ethnic identity played an important role. Electoral support for the four main contenders, President Karzai, Mr. Qanooni, Mr. Dostum and Mr. Mohaqeq, strongly correlated with the rural areas where Pashtuns, Tajiks, Uzbeks and Hazaras are, respectively, the majority groups. Ethnic considerations, however, appeared to have had less impact in major cities. This may be attributable to the fact that, since ethnic identity was not exploited aggressively during the campaign, candidates were able to operate widely in capitals outside their core constituencies.

10. Planning for the parliamentary elections is under way, and careful account is being taken of the experience gained during the presidential election. The parliamentary elections are much more complex logistically and present formidable security concerns. A number of key issues must be resolved in order to hold the elections by spring 2005: boundaries of districts must be delineated; population figures must be agreed upon for the assignment of parliamentary seats; the list of voters must be analysed, refined and updated; a complaints mechanism and electoral offence prosecution system must be developed at the local level; and the qualifications of thousands of potential candidates must be vetted prior to their registration. Finally, the expansion of the formal security apparatus will be essential to the success of parliamentary and local elections.

11. At the same time, President-elect Karzai, whose inauguration is scheduled for December, is now focusing on the task of forming the next Government. It is an opportunity to select an effective Cabinet that is able to extend government authority throughout the country and deliver the basic services. A cabinet that is both competent and representative of the ethnic, cultural and geographical diversity of the country will be critical for advancing national reconciliation. The President and his Government will need to tackle, with the support of the international community, formidable challenges that include persistent insecurity, the endemic illicit narcotics industry and the consolidation of key State institutions.

B. Security

Overall security situation

12. In the months prior to election day and the deployment of additional security forces which took place in the final weeks before the elections, there was a build-up of serious security incidents. Some of these were directed against the electoral effort, but others were directed more generally against peace and reconstruction activities. On 10 June, 10 Chinese road workers were killed, the highest death toll suffered by non-combatant expatriates in a single incident in Afghanistan. The killing of five employees of Médecins sans frontières on 2 June was the worst attack against humanitarian workers since the fall of the Taliban, causing the organization to withdraw completely. On 12 September, following the decision by President Karzai to replace the Governor of Herat, Ismail Khan, several hundred protesters attacked and burned the UNAMA office in Herat and looted the offices of other United Nations agencies, non-governmental organizations and the Afghan Independent Human Rights Commission. The fact that these attacks occurred in

areas previously thought not to be at high risk was of serious concern. Similarly, security in the south and south-east deteriorated to the point where large areas were effectively out of bounds to the assistance community, and government officials were frequent targets of attacks. There were real concerns over the impact that this obvious deterioration of the security situation might have on the credibility of the elections. Significant extraordinary measures were therefore taken to safeguard the election.

13. The generally calm security environment on election day was due in part to the additional International Security Assistance Force (ISAF) and coalition troops deployed before the election. The cooperation, planning and support provided by these forces was exceptional, and this indicates that they should remain in Afghanistan for the parliamentary and local elections. Security was also greatly enhanced by progress made in the training and deployment of the Afghan army and police forces, which performed extremely well on election day, whether in protecting polling stations, deterring threats or escorting election materials.

14. In the aftermath of the election, and with a reduction in the coalition and ISAF forces, three broad security threats continue to effect the Bonn process: (a) extremist or terrorist attacks, (b) factional violence among militia forces and (c) violence and other threats to human security by criminal elements, in particular those involved in the trafficking of drugs. This reality was tragically borne out by a suicide bombing in the centre of Kabul on 23 October, in which two people lost their lives. A few days later, on 28 October, three international electoral staff were abducted in the Kart-e-Parwan district of Kabul in broad daylight. As a result, additional security measures have been taken to enhance the safety of staff — the most stringent measures since 2001. The abducted staff were subsequently released on 22 November.

15. Without substantial progress in addressing the sources of insecurity, reconstruction efforts and the establishment of viable State institutions will continue to falter, and the economy may well be subsumed by the illicit-drugs industry. The deployment now of additional international forces, with robust and uniform rules of engagement, can provide the critical space in which progress can be made in the mutually reinforcing areas of security-sector reform, anti-narcotics activities, reconstruction, expansion of government authority and imposition of the rule of law.

Disarmament, demobilization and reintegration

16. The disarmament, demobilization and reintegration process, supported by the United Nations Development Programme (UNDP) and under the leadership of Japan, began in October 2003. It has two major components: the demobilization of soldiers from existing military units and the cantonment of heavy weapons. Participants in the Berlin conference of April 2004 resolved to demobilize at least 40 per cent of the 100,000 targeted soldiers and to canton all heavy weapons prior to the elections.

17. While these targets were not met prior to the election, the electoral process itself appeared to have a positive effect on disarmament. For example, a provision in the electoral law stated that candidates could not register to vote if they maintained connections with armed militias. Hence, the Central government appointed commanders from within the structure of militias that were linked to aspiring candidates. The Ministry of Justice, in accordance with the political party law, also

refused to register groups with known links to armed factions. This provided a further incentive to decommission militia units.

18. To accelerate demobilization and disarmament, in July 2004 the President issued a decree identifying additional units to be demobilized prior to the elections and instructing the Ministries of Defence and Finance to begin to apply financial sanctions in cases of non-compliance. By the end of September an additional 5,480 soldiers had entered the disarmament, demobilization and reintegration programme, beyond the 15,355 that had been disarmed before the decree was issued. Over 20,000 soldiers have begun the process of reintegration.

19. The issue of irregular militias also needs to be addressed. These are armed groups that are not on the payroll of the Ministry of Defence, and hence not included in the ongoing disarmament, demobilization and reintegration programme. But these groups are increasingly responsible for insecurity in many parts of Afghanistan. The Government, together with the international community in Kabul, is examining the means to dismantle these groups through weapons collection and community development programmes.

Afghan national army

20. The Afghan National Army, which is being formed under the lead of the United States of America, assisted by France, has grown to approximately 15,000 trained personnel, of which approximately 8,500 passed basic training during the review period. At full strength, it will consist of approximately 70,000 soldiers organized into five corps: the central corps in Kabul and four regional corps in Kandahar, Paktia, Herat and Balkh. The three brigades in the central corps are currently at full strength, with 15 battalions altogether. Plans are under way to develop the more technical elements of the corps, especially artillery, air defence and engineering. It is expected to take five to seven years to fully establish the regional corps. The process has begun, with four regional corps commanders and some of their key staff having been appointed on 1 September 2004. The Afghan National Army currently has 18 battalions deployed around the country on security and "show of force" tasks.

21. The main accomplishment of the Afghan National Army over the past year was the provision of security for the presidential election. It was an integral part of the nationwide security plan and played a major role in the search for improvised explosive devices before polling stations opened, in securing roads and as a visible quick-reaction force. In addition, it was primarily responsible for the security of the regional counting stations. Throughout the election the soldiers were highly visible and technically proficient and were able to secure the cooperation of Afghans in locating and neutralizing improvised explosive devices, rocket-launching areas and potential ambush sites.

22. The Afghan National Army also provided security, in isolated cases, for the mobile disarmament units conducting the disarmament, demobilization and reintegration programme. In addition, it was instrumental in separating the forces of Ismail Khan and his opponents, Amanullah Khan (Shindand) and Zahir Khan (Qala-e-Naw), in western Afghanistan during the conflict in August 2004, when it deployed two battalions to the area at short notice, where they provided a buffer between the belligerent forces to allow negotiations to continue.

Police reform

23. Training, staffing and sustaining an effective police force is a vital element of assuring security and the rule of law in Afghanistan. This task, undertaken under the lead of Germany, has proved to be challenging. The existing police force continues to suffer from a lack of well-trained officers, appropriate equipment and effective command structures. A number of important initiatives were taken to address these concerns. Five regional training centres were established across the country, in addition to the German-supported Police Academy and the United States-led Central Training Centre in Kabul. As of mid-October, 2,624 personnel had been trained at the Kabul Police Academy. These included 1,831 non-commissioned officers, of which 55 were female, and 752 border police. In addition, 27,200 police received basic police training through United States Government-supported programmes. The projected strength of the police force is 50,000, plus 12,000 border guards.

24. At the Doha conference on police reconstruction, held on 18 and 19 May 2004, co-hosted by the Governments of Afghanistan, Germany and Qatar and the United Nations, participants pledged $350 million for police programmes over the next few years. The UNDP-administered Law and Order Trust Fund for Afghanistan (LOTFA), which pays for police salaries and equipment, currently suffers from a financing shortfall of $72.6 million.

25. The Afghan police force proved itself during the electoral process despite its limited means. Police, who were provided with specific electoral training, accompanied registration teams to ensure their security and provide order during registration. Police also guarded polling sites on election day and, along with the Afghan National Army, formed the first line of defence against those who might have attacked the election process.

Justice reform

26. The process of reforming the justice sector, led by Italy, is based on two complementary efforts: strengthening political will and providing financial and technical assistance. The general assessment of the justice sector is that there is weak management and communication among justice institutions, and this needs to be addressed by coordination at all levels. The absence of implementing legislation for organizing the justice system compounds these problems. In addition, after 25 years of war, the justice sector lacks the required number of skilled staff, and there is a real need to build the capacities of existing justice-sector staff.

27. Under the new Constitution the Supreme Court is the highest judicial organ in Afghanistan, and its structure and administration are well defined. The physical facilities of the permanent justice institutions, including the Supreme Court, the Attorney General's office and the Ministry of Justice, are currently undergoing rehabilitation with support from UNDP.

28. Legal education reform, also supported by UNDP, is a crucial step for ensuring a new generation of judicial staff. Two legal education systems exist in parallel: the Faculty of Law and Political Studies, following the old French model, and the Faculty of the Shariah. Both have very old curricula that have not been revised over the past 25 years. Future actions include setting up a board of experts to work closely with the Ministry of Higher Education; the enhancement of teaching and research capacities; the creation of new linkages with foreign academic institutions;

the rehabilitation of physical infrastructure (justice facilities in six provinces, including Kabul, are being rehabilitated); and the establishment or improvement of law libraries.

29. Complementary to the justice reform effort is the rehabilitation of the correctional system, supported by the United Nations Office on Drugs and Crime. A key reform was the transfer of prison administration from the Ministry of Interior to the Ministry of Justice. A draft penitentiary law finalized by the United Nations Office on Drugs and Crime is currently under review by the Ministry of Justice. The Office has also begun the rehabilitation of the detention and prison facilities in Kabul and selected provinces so that they meet international standards.

30. The United Nations Office on Drugs and Crime has also been providing advisory services and legislative assistance for ratifying and implementing the 12 universal instruments against terrorism. Assistance has been provided in reviewing and drafting the relevant national legislation, and training activities are being undertaken to facilitate their practical implementation.

Counter-narcotics activities

31. The United Nations Office on Drugs and Crime *Opium Survey 2004* indicates that opium cultivation increased by two thirds this year, reaching an unprecedented 131,000 hectares and taking place in all provinces. Bad weather and disease, however, lowered the opium yield per hectare, resulting in an output of 4,200 tons — an increase of "only" 17 per cent. Afghanistan remains the world's largest opium producer, accounting for 75 per cent of global production. In 2003, the domestic value of the crop in Afghanistan was about $2 billion to $3 billion (or an estimated 68 per cent of the gross domestic product), while its value on the world market was about $30 billion to $60 billion.

32. Due to excess supply, opium prices in 2004 are 67 per cent lower than they were last year. Stable heroin prices at border crossings are likely the result of law enforcement, which has made it more difficult for traffickers to refine drugs and smuggle them across the country.

33. Economic dependency on poppy cultivation, limited law enforcement resources, corruption and the lack of an effective institutional framework for drug control add to the complexity of the situation. Narcotics are becoming an increasing threat to national security, social stability and governmental effectiveness. The United Kingdom of Great Britain and Northern Ireland has taken the lead role in addressing this particularly difficult issue.

34. There are three key elements involved in eliminating the poppy economy and its deleterious effect on Afghanistan's political and reconstruction processes. First, the international community must assist the Government of Afghanistan in its interdiction efforts. If vigorously pursued, these efforts will substantively decrease the drug trade in the coming few years. Participating in interdiction will strengthen the Afghan Government's counter-narcotics institutions. At the same time, the Government must be assisted in strengthening its institutional capacity to arrest, investigate, try and imprison serious criminal offenders. Second, local economies must be supported through the provision of licit on-farm income-generating opportunities and the establishment of larger-scale infrastructure and industrial projects to provide non-farm income opportunities. Third, the link between the

disarmament, demobilization and reintegration effort and counter-narcotics activities must be addressed. Ex-combatants resisting disarmament, demobilization and reintegration continue to have significant resources and power because of the illicit drug trade, which enables them to influence government institutions, thereby overriding the existing rule of law.

35. Dismantling the opium economy will require, therefore, a combination of coercive measures and the instruments of democracy, rule of law and development. National efforts alone will not suffice. Afghanistan's cultivation and trafficking have ramifications for transit countries, just as habits in consumer countries provide incentives to maintain the opium economy, with all its deleterious effects, in Afghanistan. Therefore, additional efforts are also needed by countries through which Afghan opiates are trafficked and places where heroin abuse is a significant problem.

Provincial reconstruction teams and the International Security Assistance Force

36. The Provincial Reconstruction Team Working Group is the operational forum where the Government, donors, military forces and other civilian and military actors can discuss the management of civil-military issues. The non-governmental organization (NGO) Civil Military Group allows for direct dialogue between national and international NGOs and the military forces. These two structures are linked and report to the Provincial Reconstruction Team Executive Steering Committee, a high-level decision-making and consultative body that provides guidance to the management of provincial reconstruction teams and on how civilian and military actors interact within the framework of development and reconstruction.

37. Both ISAF and the coalition forces have planned the integration of provincial reconstruction team operations with the national priority programmes led by the Government of Afghanistan. Although there is a gap between plans and implementation, there is a commitment to ensure that the reconstruction work of the provincial reconstruction teams is carried out in agreement with Afghan authorities. There are currently 19 provincial reconstruction teams (15 coalition-forces teams in the south, south-east and west and four ISAF teams in the north). ISAF is planning the second stage of its expansion, which will cover the west of the country.

C. Social issues

Overall human rights situation

38. United Nations human rights activity continues to follow two connected tracks: technical cooperation to build the capacity of the Afghan Independent Human Rights Commission and a human rights component within UNAMA that undertakes monitoring and assists the development of the Commission, other national institutions and civil society. An important development has been the Government's commitment to implement and report on ratified human rights treaties and the establishment of human rights units in a number of ministries.

39. The United Nations independent expert on the situation of human rights in Afghanistan, Cherif Bassiouni, who conducted his initial mission to Afghanistan from 14 to 21 August 2004, expressed serious concerns about the human rights

situation. Mr. Bassiouni identified a number of priority issues for immediate action, mostly concerning conditions of detention (especially with regard to women and children); the illegal nature of the detention of 725 detainees transferred from Shibergan to Kabul a few months ago (and subsequently released); the lack of transparency in and the question of the legality of the detention of Afghan civilians by the coalition forces; the abduction and trafficking of children; and the need to address the continuing impunity of human rights violators, particularly local commanders.

40. There are continuing reports of trafficking, kidnapping and smuggling of children, and their subsequent deportation from the countries of destination. Children further risk being rejected by their families once they return to their places of origin. The Government has begun to address the problem and, with technical support from the United Nations Children's Fund (UNICEF), the Ministry of Labour and Social Affairs took a leading role in bringing together various ministries to formulate a national plan of action on combating child trafficking.

Afghan Independent Human Rights Commission

41. Throughout the past year, the Afghan Independent Human Rights Commission continued to develop its institutional strength and to implement its work plan in five areas: monitoring and investigation, women's rights, children's rights, human rights education and transitional justice. It now has 10 offices and more than 300 staff. Major achievements included its establishment as a permanent body under the new Constitution; an extensive consultation exercise among the Afghan population on transitional justice; the joint Commission-UNAMA political rights verification campaign, which issued three public reports before the election on the conditions for the free exercise of political rights (the Commission was also an accredited election observer and monitored about 1,000 polling sites); successfully taking up high-profile cases; processing more than 100 complaints; and holding some 200 human rights education and training workshops. The Commission receives extensive institutional support from UNDP.

Gender

42. In certain areas of the country, strong social and cultural norms continue to limit women's public role. Conservative ideologues further deny women their rights. Vital health and educational services are unevenly and insufficiently available. The institutional mechanisms of the Government to effectively address these issues are still in formation. In addition, the capacity of the Ministry of Women's Affairs, especially at the middle-management level, is weak, and its visibility and effectiveness in the provinces very from region to region. Finally, the difficult security situation in the country is a major threat for women.

43. The maternal mortality rate in Afghanistan is 1,600 per 100,000 live births. Maternal health-care services are not equally distributed, and the majority of women, especially from rural areas, do not have access to essential obstetric care. Moreover, pregnant women, as well as children under five, are at high risk of contracting malaria.

44. At the same time, progress has been made to strengthen the position of women in the country. Women made up 20 per cent of the 502 Constitutional Loya Jirga delegates. The Constitution of Afghanistan, adopted in January 2004, firmly states

that men and women have equal rights. The Constitution, as noted above, also includes a number of provisions securing the political participation of women. In regard to the electoral process, 41 per cent of the 10.5 million Afghans who registered to vote were women. One woman ran for president and two others were vice-presidential candidates. At the Berlin conference, the Government of Afghanistan stated its commitment to increase the number of women in the civil service. Currently, 21 per cent of permanent government employees are women. The Ministry of Women's Affairs, with support from UNDP, is currently providing training and advocacy courses in gender rights for 11 other Government ministries.

III. Relief, recovery and reconstruction

A. Government administration

45. The underlying strategy of United Nations relief, recovery and reconstruction efforts since the signing of the Bonn Agreement has been to move from the direct implementation of projects to supporting the Government's own development plans. While the Afghan Government has a coherent vision for its post-war reconstruction, its capacity remains weak in terms of public administration, institutions and ability to extend its development plans to provincial governments as well as to deliver essential public services. Many provincial governments remain semi-autonomous in relation to the central Government, particularly with regard to the remittance of tax revenue and the implementation of national laws at the provincial level. Entrenched interests in the provinces have also been able to capture parts of the provincial governments and impede reform. The uncertain security situation and the unchecked development of a parallel and illicit narco-economy exacerbate this weakness and seriously challenge further development, both economic and institutional.

46. International support for Afghanistan's reconstruction was reaffirmed at the Berlin conference earlier this year. The conference attendees issued a declaration that strongly endorsed the Government's work plan. According to that plan, this fiscal year the Government will accelerate reforms in the following key areas: public administration, fiscal management, private sector development, economic and social development (through the preparation of the poverty reduction strategy paper), rule of law, human rights, gender, disarmament, security and counter-narcotics activities.

47. At the Berlin conference the Government also presented a long-term costing report entitled "Securing Afghanistan's Future". It provided a comprehensive calculation of the cost of key recovery and reconstruction targets. The report formed the basis for assistance requests and donor pledges at the conference. As noted in A/58/868-S/2004/634 (para. 55), the Berlin conference was followed by the Afghanistan Development Forum in Kabul, where the development budget and core budget were presented to donors. The core budget ($609 million) is now fully financed, and development expenditures will be more than $1 billion in 2005, mostly for the national priority programmes. In addition, new programmes are being developed for the urban sector, justice sector, private sector and skills development. The Government's capacity to manage information in a transparent and effective manner is also improving. International aid for the national development budget are being tracked by the Ministry of Finance. Despite progress, however, the bulk of

external assistance to Afghanistan still does not go through national budget channels. Nonetheless, the Berlin conference, the Afghan Development Forum and the Afghan calendar year 1383 development budget together represent a significant step forward in improving the planning and financing of reconstruction under government leadership.

48. Between May and October 2004, the United Nations country team, together with its partners from the Government, from the NGO and donor communities and from international financial institutions, conducted Afghanistan's first common country assessment — an in-depth analysis of the country's development challenges and their root causes. The common country assessment process covered four thematic areas: institutional development and governance; peace, security and justice; economic development and growth; and social well-being. These themes are key to helping Afghanistan achieve the Millennium Development Goals. The common country assessment will be closely aligned with the Government-led poverty reduction programmes, with the consultative group mechanism providing the main forum for consultation.

49. A vital tool for government administration, as well as reconstruction and development planning, is the national census. Afghanistan's last census was conducted in 1979, but not completed. A pre-census household listing began in October 2002 and is about to be completed, though fieldwork in four provinces has been delayed for reasons of poor security or difficult climate. Planning has nonetheless begun for the census itself, which is scheduled to be held over the course of 20 days in 2006. Currently, a planning team led by the United Nations Population Fund (UNFPA) is in Kabul. A donors' conference will be held in December to seek funding to carry out the census.

B. Emergency response and development issues

50. This year marks the sixth year of below-average rainfall and snowfall in Afghanistan, exacerbating the chronic water shortage in the country. Vulnerable populations, totalling an estimated 4 million people, have been identified in localized pockets in at least 27 provinces. Especially vulnerable provinces include Ghor, Nimroz, Uruzgan, Paktika, Ghazni, Daikundi, Kandahar and Helmand. Their vulnerability stems from a combination of the loss of groundwater associated with diminished snowpacks and less rainfall. As a result, crop yields were reduced during the 2004 harvest and the cost of grain rose. There is some evidence of distress livestock sales and rising casual labour rates, suggesting that the drought has made farm life unsustainable for some. In the wider context, the drought may affect the agricultural mainstay of the economy and have a negative impact on economic growth. The Ministry of Rural Rehabilitation and Development is leading the drought-response process, with support from UNAMA. In particular, an emergency appeal for $71 million covering the six-month period between September 2004 and February 2005 was issued. The response by donors to the appeal has been extremely positive, and the current shortfall amounts to roughly $9 million.

C. Agriculture

51. The Food and Agriculture Organization of the United Nations (FAO) has been supporting the rehabilitation and development of the agricultural sector. Specifically, FAO is assisting vulnerable farmers by improving food security and nutrition, ensuring sustainable management of natural resources, contributing to the generation of viable alternative livelihoods, and building capacity in the agricultural sector.

D. Health and nutrition

52. The dual challenge in the health sector is to expand national services and improve the quality of health care — preventive and curative — while remaining within the Government's recurring cost projections. In line with the strategy prepared by the Ministry of Health, UNICEF and other United Nations agencies, the international community is supporting the Government in rebuilding the primary health-care system. The overall strategy in 2004 has focused on prevention, improving subnational capacity, establishing health-network structures, strengthening outreach services and building partnerships with NGOs and the private sector. There has been a particular focus on obstetric care and reproductive and child health. Existing projects to support hospitals and other social institutions, control disease, respond to outbreaks and pre-position medical supplies are ongoing. Specific programmes to eradicate polio and maternal and neonatal tetanus, as well as other vaccination and immunization campaigns, are also continuing.

53. Tuberculosis remains a serious public health problem in Afghanistan. With support from the World Health Organization (WHO), 162 health facilities in the country are offering services in 141 districts that represent 54 per cent of the country's population. The treatment success rate was 86 per cent in 2002. Anti-tuberculosis medicines for 2004 and at least half of 2005 have been procured. These are sufficient to provide a full course of treatment to some 25,000 tuberculosis patients.

54. Under the Roll Back Malaria project, WHO is assisting the Ministry of Health and local health authorities to combat malaria in 14 provinces where the disease is endemic. Through this project, 600,000 individuals are receiving full treatment for malaria every year. In addition 750,000 individuals are protected from malaria and leishmaniasis by sleeping under insecticide-treated nets provided under the project.

E. Education

55. The reactivation of the national primary-education system has been an important success of the immediate post-conflict period. Building on this, the Government's strategic focus in 2004 has been on improving the quality and content of the education package. This involved significant support from UNICEF in teacher training and upgrading, the provision of school materials and the application of curriculum reform policies. UNICEF, with the Ministry of Education, distributed teaching and learning materials to 4.2 million schoolchildren and 74,466 teachers. Efforts are being made to ensure smoother and more consistent salary payments to teaching staff, and particular attention is being given to securing girls' access to

education outside of the main urban centres. The focus on developing the capacity of educational authorities in the provinces has intensified, which is similar to what has occurred in respect of other social services.

56. Thanks in part to these efforts, the net enrolment rate for Afghan children between 7 and 13 years of age has increased to 54 per cent (67 per cent for boys and 37 per cent for girls). A number of factors, however, such as distances to schools, the inadequacy of facilities and lack of separate schooling for boys and girls, continue to impede larger enrolment. To address this, UNICEF is supporting the establishment of community-based schools, especially for girls in villages where no formal schools are accessible. The first phase of this project is to establish 1,500 community schools for 75,000 girls and boys in those areas where girls' enrolment is below the national average. So far, the villages have been identified and the training for the provincial educational officials has been completed.

F. Media

57. Since the Bonn process began, the number of media outlets has expanded significantly. There are now 42 radio stations (25 non-State-run), 18 television stations (14 State-controlled) and some 300 print publications (daily, weekly and monthly). The quality of these media, particularly print publications, is very uneven. The sustainability of all media outlets is not guaranteed. Many non-State-run publications depend on grants, as the Afghan media market is not yet strong enough to allow outlets to sustain themselves on advertisements, and many consumers can purchase publications only at subsidized prices. International support for State-owned Radio-Television Afghanistan has resulted in the provision of new equipment, new studios and satellite facilities. UNAMA has been assisting with programme production and capacity-building as a means to supplement the efforts of other organizations.

58. The Government this year adopted a new media law that prohibits censoring or limiting mass media and affirms the rights to freedom of thought, speech and information. It also provides legal protection to journalists to exercise their profession and to protect their sources.

59. Before the election, NGOs, bilateral organizations, the United Nations and the secretariat of the Joint Electoral Management Body offered election-related training to Afghan journalists, as most of them had never covered an election. This included training on balanced and impartial coverage, "hate speech", electoral legislation and the media code of conduct.

G. Voluntary repatriation and reintegration

60. Between January and October 2004, some 740,000 individuals returned to Afghanistan under the voluntary and assisted repatriation programme supported by the Ministry of Refugees and Repatriation and the Office of the United Nations High Commissioner for Refugees (UNHCR). Of these, 370,000 came from Pakistan, 360,000 from the Islamic Republic of Iran and 10,000 from other countries. Since 2002, over 3 million people have returned voluntarily. The largest number of the returnees (43 per cent) went to the central region of Afghanistan, followed by those returning to the northern region (22 per cent) and the eastern region (20 per cent).

Kabul province remained the province receiving the largest number of returnees. A high percentage of returnees are landless (70 per cent), or claim not to have a house or shelter to return to (27 per cent).

61. Returns from the Islamic Republic of Iran have increased significantly relative to last year, largely as a result of measures put in place by its Government to encourage returns to Afghanistan. In Pakistan, some 80,000 persons returned from the "new camps" that were established after 11 September 2001. Those refugees who remained in Pakistan were relocated to other camps, and the new camps were closed by the end of September 2004.

62. Some 35,000 internally displaced persons were able to find a solution to their displacement either by returning to their places of origin or settling locally. However, security conditions in a number of provinces in the north and the central highlands still prevent the return of many internally displaced persons and refugees originating from these areas.

63. The reintegration assistance programme continued to focus on the construction of rural houses — a high-priority request from returnees — for the most vulnerable groups. An average of 15 to 20 per cent of returnees have benefited from this activity. Between 2002 and the end of 2004, UNHCR will have built some 120,000 houses, mostly in areas receiving large numbers of returnees. Lack of employment and slow progress in reconstruction in rural areas pose a continuing challenge to the sustainable reintegration of returnees. The increased number of returns to urban areas is placing an additional burden on the already stretched infrastructure capacity of major cities and highlights the need for the development of a social housing scheme.

64. Reports indicate that returnees did not face marked discrimination in terms of access to basic social services, though they experienced occupation or confiscation of their land and related abuses such as extortion, illegal taxation or forced recruitment. Beginning next year, UNHCR will work more intensively with the Afghan Independent Human Rights Commission on return and human rights monitoring to enhance and expand the current returnee monitoring exercise.

H. Mine action

65. Under the direction of the Mine Action Consultative Group and the Ministry of Foreign Affairs, and with the support of Canada, the United Nations Mine Action Centre for Afghanistan is currently facilitating the process of transferring responsibility for mine action in Afghanistan from the United Nations to a national mine-action coordination agency. The Mine Action Programme for Afghanistan employs approximately 8,000 Afghan personnel and 22 international technical staff, in addition to 700 demobilized soldiers, making it one of the largest civilian employers in the country.

66. The strategic goal of the Mine Action Programme for Afghanistan is to remove the impact of mines and unexploded ordnance from all high-impact areas by 2007 and to make Afghanistan mine-impact-free by 2012. Since January 2003, 33 square kilometres of minefields and 69 square kilometres of battlefields have been cleared, and a total of 2,354,244 mines and pieces of unexploded ordnance have been destroyed. More than 650,000 returnees have received mine-risk education in

encashment and transit centres, and some 53,000 primary schoolteachers have been trained and provided with teaching materials. The number of mine victims has been reduced from approximately 150 a month in 2002 to less than 100 a month in 2004.

67. On 1 March 2003 Afghanistan became a State party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction. Afghanistan has made a firm commitment to clear all anti-personnel mines within 10 years, destroy all stockpiled anti-personnel mines by February 2007, provide mine-risk education to vulnerable groups and assist landmine survivors.

I. Infrastructure development

68. Rural infrastructure development, coordinated by the Ministry of Rural Rehabilitation and Development and supported by UNDP, is ongoing in all provinces and includes the construction of houses for returning refugees and internally displaced persons; road, school and clinic construction; agricultural development; and economic regeneration projects.

69. In collaboration with various technical ministries, the United Nations Office for Project Services (UNOPS) has implemented various projects to build roads, buildings, and irrigation works throughout the country, mainly under the Government's National Emergency Employment Programme. With funds from the World Bank and UNICEF, UNOPS infrastructure development activities in Afghanistan are designed to support the country's socio-economic recovery in the rural areas. UNOPS has adopted labour-intensive methods as a means of generating emergency employment opportunities for targeted vulnerable groups.

IV. Mission support

70. The integration of United Nations agencies continued to be facilitated by the United Nations Operations Centre in Afghanistan. UNOPS constructed additional office and warehousing facilities there, and WHO and UNFPA are constructing office buildings to be occupied by the end of 2004. With 84 beds, the complex now provides housing for United Nations Volunteers and others. A UNICEF warehouse was used to prepare 40,000 polling kits for the election. An international commercial bank opened inside the compound, reducing the need for United Nations staff to carry significant sums of cash.

71. A United Nations security assessment team, comprising representatives of the Office of the United Nations Security Coordinator, UNAMA and UNICEF, spent three weeks in Afghanistan in July 2004 and produced a report with 11 recommendations, all of which were endorsed by the Secretary-General, to integrate the security management structure in Afghanistan. Notably, the new security management structure included a Security Information and Operations Centre, which is located inside the United Nations Operations Centre compound, bringing together representatives from United Nations agencies, the Afghan Government, ISAF, the coalition and NGOs to coordinate responses to complex developments.

72. Medical care is an important part of staff security and safety. The UNAMA clinic in the Operations Centre compound was upgraded with laboratory, X-ray,

surgical and dental suites staffed by six doctors. In addition, a helipad has been completed to facilitate emergency treatment. All seven regions outside of Kabul have been provided with clinics and a full-time United Nations doctor.

73. UNOPS assumed responsibility for common services provided at the Operations Centre compound, and UNAMA co-located with the UNOPS regional operational centre in Dubai for the provision of operation services. The Dubai office and warehouse will also be used by UNAMA as a storage site for disaster-recovery services.

V. Observations

74. The political sphere during the period under review was dominated by the electoral process — the registration of 10.5 million voters and the holding of presidential elections on 9 October 2004. Despite significant challenges to these processes and some shortcomings in their implementation, the conduct of both exceeded expectations.

75. The general success of the electoral process is a result of many factors and the hard work of a variety of different people and organizations. Many of these — national and international security forces, donors, neighbouring countries, the United Nations and other organizations — have been mentioned already. In the end, however, the major reason for the success of the electoral process was the desire of the Afghan people themselves to ensure that it would succeed. They signed up willingly to carry out registration and to work the polling stations, and on polling day more than 8 million accepted the risk of attack to come out and vote. This is a decisive indication that the Bonn process, and the institutions that are being formed within it, have the backing of a large majority of the Afghan people.

76. The successful presidential election redeemed the difficult decision made by the Joint Electoral Management Body to separate presidential from parliamentary elections. The complexities avoided by postponing parliamentary elections allowed all actors to focus productively on carrying out the presidential elections as well as possible. Now it is vital that the international community help the Afghans to hold parliamentary elections next year, thereby fulfilling the commitment made in Bonn three years ago. The Joint Electoral Management Body has begun preparations for the parliamentary elections and will present a plan to donors and the international community shortly. UNAMA continues to advise and support the Joint Electoral Management Body in this task.

77. Fulfilling the spirit of the Bonn Agreement requires more than fulfilling the letter of its defined political process. In particular, much more needs to be achieved towards the fundamental goal of building the capacity of government at all levels and extending its authority to all parts of the country. This extension of authority is required in order to ensure the rule of law, the functioning of the legal economy, the practice of human and political rights and positive relations with neighbouring countries. This will require further progress on all five security sector reform items. The new Government, with the continued support of the international community, must address arms and narcotics — two issues that have the potential to combine and form a vicious cycle that could seriously undermine much of the progress made. The strong support provided by the people of Afghanistan to the newly elected President should help bring about significant progress on these fronts.

78. The gradual handing over of functions to the Afghan Government — for example, in the electoral field and in demining — is a positive indicator of developments made in the past three years. It is important that these functions be handed over to Afghan bodies with sufficient capacity to manage them. The overall policy direction, and the planning of reconstruction, has been successfully taken over by the Afghan Government. The pledges made at the Berlin conference for the Afghan Government's work plan are reassuring signs of the donor community's confidence in the Government in this regard and of the quality of the plans themselves. The international community will have to remain a key source of funding for Afghanistan's development for some years to come. At the same time, it is extremely important that the Afghan Government continue to implement its reforms, streamline the government apparatus and undertake concerted efforts to ensure that a culture of government corruption does not take root.

79. The year ahead will present many challenges to the political and economic recovery of Afghanistan. For the first time, however, Afghanistan will face these challenges with a directly elected President endowed with a strong popular mandate. The United Nations remains committed to assisting the new Government as it continues to address the vital tasks required to fulfil the letter and the spirit of the Bonn Agreement. The most important of these tasks have been outlined in the present report. The United Nations will rely on the cooperation and commitment of the lead nations for security sector reform, as well as donor support for implementing the Afghan Government's reconstruction work plan.

80. After a tense year fraught with risks, during which many issues — including social indicators and human rights — remained insufficiently addressed, it is a cause for hope and optimism that Afghans have embraced with such enthusiasm the transition to civilian, democratic rule. The large number of Afghans who have registered and voted, who continue to attend school and who have returned from exile to their country are as many rewards for the investment of the international community in the Bonn process and an encouragement to remain fully engaged.

81. In conclusion, I take this opportunity to thank my Special Representative and the men and women of UNAMA and its partner organizations for their outstanding efforts on behalf of Afghanistan, under difficult and dangerous conditions.

United Nations A/59/580–S/2004/926

General Assembly
Security Council

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General Assembly
Fifty-ninth session
Agenda item 29
Question of Cyprus

Security Council
Fifty-ninth year

Letter dated 24 November 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 24 November 2004, addressed to you by Reşat Çağlar, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex would be circulated as a document of the General Assembly under agenda item 29, and of the Security Council.

(*Signed*) Altay **Cengizer**
Deputy Permanent Representative
Chargé d'affaires a.i.

04-62499 (E) 291104

Annex to the letter dated 24 November 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the allegations of the Greek Cypriot representative in New York contained in his statement made to the Special Political and Decolonization Committee (Fourth Committee) at the fifty-ninth session of the General Assembly on 27 October 2004, on the agenda item entitled "Comprehensive review of the whole question of peacekeeping operations in all their aspects", and to convey to you our views on the matter.

More than six months have elapsed since the separate simultaneous referendums held in Cyprus on your settlement plan on 24 April 2004, in which the Greek Cypriot side resoundingly voted against settlement and sharing the benefits of European Union membership with Turkish Cypriots, who, on the other hand, overwhelmingly voted for compromise and a common future with the Greek Cypriots in the European Union. As you clearly underlined in your subsequent report on your mission of good offices submitted to the Security Council, dated 28 May 2004, "What was rejected [by the Greek Cypriots] was the solution itself rather than a mere blueprint" (S/2004/437, para. 83).

In paragraph 92 of the same report, you also concluded that "in the aftermath of the watershed vote of 24 April, I believe that a fundamental reassessment of the full range of United Nations peace activities in Cyprus is timely. The reassessment should include the four-decade-old search for peace in Cyprus, and consider how best to address the problem in the future. I accordingly intend to conduct a review, to be completed within three months, of UNFICYP's mandate, force levels and concept of operations, in the light of the developments on the ground, the positions of the parties, and any views of the Security Council might have."

Furthermore, on 22 October 2004, the Security Council, in its resolution 1568 (2004), endorsed your recommendations in this regard contained in your report on the United Nations operation in Cyprus (S/2004/756) and extended the mandate of the United Nations Peacekeeping Force in Cyprus (UNFICYP) for a further period of six months. Notwithstanding a 30 per cent reduction in the force level of UNFICYP and its amended concept of operations, the review has fallen short of updating the mandate of the Force in line with the drastically changed circumstances on the ground. We believe, however, that this issue can still be dealt with within the framework of the further review to be conducted prior to June 2006. The Greek Cypriot side should not be allowed to continue rejecting a settlement on the island while expecting everything else to remain constant.

I would like, once again, to underline that UNFICYP was deployed on the island in 1964 in the face of the Greek Cypriot atrocities against the Turkish Cypriot people and not as a result of the legitimate Turkish intervention of 1974. His devious attempt to draw a correlation between the existence and number of UNFICYP personnel on the island and that of the Turkish forces is insincere and hardly convincing. In this context, your assessment, which was also stated in the latest Security Council resolution on UNFICYP, that "the security situation on the island has become increasingly benign over the last few years and that a recurrence of fighting in Cyprus is increasingly unlikely" (resolution 1568 (2004), fifth

preambular paragraph), is an accurate assessment and is also supported by the Turkish Cypriot side. In view of this widely shared assessment of the prevailing conditions on the island, the deviously facile and contrived arguments of the Greek Cypriot representative seem all the more ridiculous.

Furthermore, the Greek Cypriot representative also endeavours to arrogate responsibilities to UNFICYP (i.e., a role in finding a comprehensive settlement of the Cyprus issue) which fall exclusively within the scope of your good-offices mission. The aim here is clearly to undermine the role of your mission of good offices vis-à-vis the efforts to find a settlement in Cyprus and in doing so to downplay the importance of the results of the referendums and the Greek Cypriot side's rejection of the settlement plan.

As for the Greek Cypriot representative's utterances pertaining to a political settlement in Cyprus, your statement in your report on your mission of good offices (S/2004/437, para. 86) that "if the Greek Cypriots are ready to share power and prosperity with the Turkish Cypriots in a federal structure based on political equality, this needs to be demonstrated, not just by words, but by action" needs no further elaboration. In a similar vein, in the summary of the same report you also stated that "if they [the Greek Cypriots] remain willing to resolve the Cyprus problem through a bicommunal, bizonal federation, this needs to be demonstrated. Lingering Greek Cypriot concerns about security and implementation of the plan need to be articulated with clarity and finality." To this date, this call has not been properly responded to by the Greek Cypriot leadership. The failure and the unwillingness of the Greek Cypriot side to do so clearly demonstrates that it is not, and has never been, interested in a mutually acceptable solution in Cyprus, despite continuously professing to the contrary.

The Greek Cypriot Administration, whose representative attempts to portray it as the champion of human rights in every forum, has, to say the least, a tainted human rights record. The human rights violations committed in Cyprus against the Turkish Cypriot people during the period from 1963 to 1974 were attested to by relevant United Nations documents. On 10 September 1964, the then Secretary-General reported, "the economic restrictions being imposed against the Turkish communities in Cyprus, which in some instances have been so severe as to amount to a veritable siege, indicated that the Government of Cyprus seeks to force a potential solution by economic pressure" (S/5950, para. 222). Then, on 12 December 1964, the Secretary-General further stated, "in the report of 10 December, it was indicated that as at 1 September, 232 Turkish Cypriots were mission, according to the list completed by the Turkish Cypriot Missing Persons Bureau. Since that date, UNFICYP was informed that 23 Turkish Cypriots have been accounted for and their names have been deleted from the list of missing persons. This leaves 209 Turkish Cypriots still missing. Efforts to trace those missing will be continued by ICRC and UNFICYP, but there seems to be little prospect of finding them alive" (S/6102, para. 93). Furthermore, in his memoirs entitled *The Past Has Another Pattern*, the then American Under-Secretary of State, George Ball, said that the central interest of the Greek Cypriot leader Makarios "was to block off Turkish intervention so that he and his Greek Cypriots could go on happily massacring Turkish Cypriots" (p. 64).

Notwithstanding their bitter past experience, the Greek Cypriot rejection of your settlement plan and the current blockage by the Greek Cypriot Administration

of the adoption by the European Council of the Commission's financial aid and direct trade regulations for Northern Cyprus, the Turkish Cypriot side, in stark contrast, continues with its positive attitude and most recently has opened a secondary school in Karpaz for the Greek Cypriot children living in the north and rid its textbooks of any malicious language towards Greek Cypriots. This conciliatory approach of the Turkish Cypriot side is all the more important given the fact that there is no school in the south providing education for Turkish Cypriot children in their mother tongue and that the Greek Cypriot textbooks are filled with hatred and hostility towards Turkish Cypriots.

(*Signed*) Reşat **Çağlar**
Representative
Turkish Republic of Northern Cyprus

United Nations S/2004/927

Security Council

Distr.: General
29 November 2004

Original: English

Letter dated 27 November 2004 from the Permanent Representative of the Netherlands to the United Nations addressed to the President of the Security Council

I have the pleasure of drawing to your attention a letter dated 26 November 2004 from the Secretary-General addressed to the Minister for Foreign Affairs of the Kingdom of the Netherlands (annex I). In that letter the Secretary-General expressed his intention to establish a United Nations trust fund to administer and disburse financial contributions to the distinct entity under unified command of the multinational force with a dedicated mission to provide security for the United Nations presence in Iraq, provided there is a mandate from the Security Council. In this context I would also like to draw to your attention a letter dated 21 October 2004 from the Minister for Foreign Affairs of the Kingdom of the Netherlands to the Secretary-General (annex II), in which the latter is informed that European Union member States are ready to contribute approximately US$ 12 million to finance the middle ring of the United Nations protection force in Iraq.

I should be grateful if the present letter and its annexes could be circulated as a document of the Security Council.

(*Signed*) Dirk Jan **van den Berg**
Ambassador
Permanent Representative

04-62553 (E) 291104

Annex I to the letter dated 26 November 2004 from the Permanent Representative of the Netherlands to the Untied Nations addressed to the President of the Security Council

26 November 2004

Thank you for your letter of 20 October 2004 and the readiness of the European Union member States to contribute about US$ 12 million to finance the "middle ring" of the United Nations security arrangements in Iraq.

At the outset, I note that in paragraph 13 of resolution 1511 (2003) the Security Council authorized a multinational force under unified command to take all necessary measures to contribute to the maintenance of security and stability in Iraq, including the security of the United Nations Assistance Mission for Iraq (UNAMI). In paragraphs 9 and 10 of resolution 1546 (2004), the Council reaffirmed the authorization for the multinational force. In paragraph 13 of the same resolution, the Council noted the intention, set out in the annexed letter from the United States Secretary of State, "to create a distinct entity under unified command of the multinational force with a dedicated mission to provide security for the United Nations presence in Iraq ...", recognized that the implementation of measures to provide security for staff members of the United Nations system working in Iraq would require significant resources, and called upon Member States and relevant organizations to provide such resources, including contributions to that entity.

In my letter of 25 August 2004, I urged Member States to contribute to the distinct entity envisaged in paragraph 13 of Security Council resolution 1546 (2004). I also indicated that the United Nations would consider establishing a trust fund, should that help to facilitate financial contributions to support the distinct entity. However, I stressed that, although mandated by the Security Council, the distinct entity had not been set up as a United Nations operation. Therefore, the United Nations would have no role in its financing, deployment or in-theatre command and support.

Considering the above, I have reviewed your proposal for the establishment of a United Nations trust fund for accepting and administering contributions from Member States, including the States members of the European Union. While your willingness to make such financial contributions is certainly welcomed, United Nations rules and regulations do not allow for the establishment of a trust fund for such a purpose in the absence of a specific mandate from a United Nations legislative body.

In order to proceed with establishing a trust fund for the purpose indicated in your letter, I would need a mandate from the Security Council to that effect. If the Security Council were to give me such a mandate, I would proceed to establish a trust fund so that the contributions could be processed forthwith.

(*Signed*) Kofi A. **Annan**

Annex II to the letter dated 26 November 2004 from the Permanent Representative of the Netherlands to the United Nations addressed to the President of the Security Council

21 October 2004

I would like to refer to your letter of 20 August 2004 in which you urge the States members of the European Union to contribute to a distinct entity under unified command of the multinational force with a dedicated mission to provide security for the United Nations presence in Iraq pursuant to Security Council resolution 1546 (2004) of 8 June 2004 ("United Nations protection force"). Furthermore, I would like to refer to our recent discussion in New York on — among other things — the protection of the United Nations presence in Iraq.

The European Union attaches great importance to the presence of the United Nations in Iraq and wants — wherever relevant — to establish close engagement and cooperation with the United Nations. The European Union Council conclusions of 12 July 2004 reaffirm the European Union's commitment to supporting the Interim Government of Iraq and the United Nations in the economic, social and political reconstruction of Iraq. Our efforts will be based on the EU medium-term strategy for Iraq and the communication from the Commission to the Council and the European Parliament, entitled "The European Union and Iraq: A Framework for Engagement".

The European Union recognizes the need for a strong and well-equipped protection force in order for the United Nations to be able to play its role in Iraq to the fullest. Therefore, I am pleased to inform you that EU member States are ready to contribute approximately US$ 12 million to financing the middle ring of the United Nations protection force in Iraq. These financial means are to be used for troop contributions from third countries which are not in a position to bear the costs of deployment themselves.

In order for this contribution to be made available to the United Nations, information regarding the administrative details concerning the transfer of the above-mentioned funds, and more specifically on the establishment of a United Nations trust fund for that purpose, would be welcomed.

(*Signed*) Bernard **Bot**
Minister for Foreign Affairs of the Kingdom of the Netherlands

United Nations S/2004/927*

Security Council

Distr.: General
30 November 2004

Original: English

Letter dated 26 November 2004 from the Permanent Representative of the Netherlands to the United Nations addressed to the President of the Security Council

I have the pleasure of drawing to your attention a letter dated 26 November 2004 from the Secretary-General addressed to the Minister for Foreign Affairs of the Kingdom of the Netherlands (annex I). In that letter the Secretary-General expressed his intention to establish a United Nations trust fund to administer and disburse financial contributions to the distinct entity under unified command of the multinational force with a dedicated mission to provide security for the United Nations presence in Iraq, provided there is a mandate from the Security Council. In this context I would also like to draw to your attention a letter dated 21 October 2004 from the Minister for Foreign Affairs of the Kingdom of the Netherlands to the Secretary-General (annex II), in which the latter is informed that European Union member States are ready to contribute approximately US$ 12 million to finance the middle ring of the United Nations protection force in Iraq.

I should be grateful if the present letter and its annexes could be circulated as a document of the Security Council.

(*Signed*) Dirk Jan **van den Berg**
Ambassador
Permanent Representative

* Reissued for technical reasons.

04-62553* (E) 301104

Annex I to the letter dated 26 November 2004 from the Permanent Representative of the Netherlands to the United Nations addressed to the President of the Security Council

26 November 2004

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In my letter of 25 August 2004, I urged Member States to contribute to the distinct entity envisaged in paragraph 13 of Security Council resolution 1546 (2004). I also indicated that the United Nations would consider establishing a trust fund, should that help to facilitate financial contributions to support the distinct entity. However, I stressed that, although mandated by the Security Council, the distinct entity had not been set up as a United Nations operation. Therefore, the United Nations would have no role in its financing, deployment or in-theatre command and support.

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In order to proceed with establishing a trust fund for the purpose indicated in your letter, I would need a mandate from the Security Council to that effect. If the Security Council were to give me such a mandate, I would proceed to establish a trust fund so that the contributions could be processed forthwith.

(*Signed*) Kofi A. **Annan**

Annex II to the letter dated 26 November 2004 from the Permanent Representative of the Netherlands to the United Nations addressed to the President of the Security Council

21 October 2004

I would like to refer to your letter of 20 August 2004 in which you urge the States members of the European Union to contribute to a distinct entity under unified command of the multinational force with a dedicated mission to provide security for the United Nations presence in Iraq pursuant to Security Council resolution 1546 (2004) of 8 June 2004 ("United Nations protection force"). Furthermore, I would like to refer to our recent discussion in New York on — among other things — the protection of the United Nations presence in Iraq.

The European Union attaches great importance to the presence of the United Nations in Iraq and wants — wherever relevant — to establish close engagement and cooperation with the United Nations. The European Union Council conclusions of 12 July 2004 reaffirm the European Union's commitment to supporting the Interim Government of Iraq and the United Nations in the economic, social and political reconstruction of Iraq. Our efforts will be based on the EU medium-term strategy for Iraq and the communication from the Commission to the Council and the European Parliament, entitled "The European Union and Iraq: A Framework for Engagement".

The European Union recognizes the need for a strong and well-equipped protection force in order for the United Nations to be able to play its role in Iraq to the fullest. Therefore, I am pleased to inform you that EU member States are ready to contribute approximately US$ 12 million to financing the middle ring of the United Nations protection force in Iraq. These financial means are to be used for troop contributions from third countries which are not in a position to bear the costs of deployment themselves.

In order for this contribution to be made available to the United Nations, information regarding the administrative details concerning the transfer of the above-mentioned funds, and more specifically on the establishment of a United Nations trust fund for that purpose, would be welcomed.

(*Signed*) Bernard **Bot**
Minister for Foreign Affairs of the Kingdom of the Netherlands

United Nations S/2004/928

Security Council

Distr.: General
29 November 2004

Original: English

Letter dated 26 November 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Egypt to the United Nations addressed to the President of the Security Council

I have the honour to enclose herewith the final communiqué of the International Ministerial Meeting of the Countries Neighbouring Iraq, the Group of Eight and China, held at Sharm El Sheikh, Egypt, on Tuesday, 23 November 2004 (see annex).

I would appreciate it if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Amr **Aboul Atta**
Minister Plenipotentiary
Chargé d'affaires a.i.

04-62638 (E) 301104

Annex to the letter dated 26 November 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Egypt to the United Nations addressed to the President of the Security Council

[Original: Arabic and English]

Final communiqué of the International Ministerial Meeting of the Countries Neighbouring Iraq, the Group of Eight and China

Sharm El Sheikh, Egypt, 23 November 2004

At the invitation of the Arab Republic of Egypt, an International Ministerial Meeting on Iraq was convened in Sharm El Sheikh on 23 November 2004, with the objective of supporting the aspirations of the Iraqi people, the political process as envisaged by the Security Council in resolution 1546 (2004), including the holding of direct democratic elections, and the efforts of the Interim Government of Iraq in that process. Participating in the meeting were the Foreign Ministers of the Group of Countries Neighbouring Iraq, namely, the Arab Republic of Egypt, the Hashemite Kingdom of Jordan, the Islamic Republic of Iran, the Kingdom of Saudi Arabia, the Republic of Iraq, the Republic of Turkey, the Syrian Arab Republic and the State of Kuwait, as well as the Group of Eight countries, namely, Canada, the Republic of France, the Republic of Italy, the Federal Republic of Germany, Japan, the Russian Federation, the United Kingdom and the United States of America, as well as the People's Republic of China as a permanent member of the Security Council, Tunisia, Algeria, the Kingdom of Bahrain, Malaysia and the Kingdom of the Netherlands. Also participating were the Secretary-General of the United Nations, the Secretary-General of the League of Arab States, the Secretary-General of the Organization of the Islamic Conference and the representatives of the European Union.

They decided upon the following:

1. To reaffirm the sovereignty, political independence, territorial integrity and national unity of Iraq, as well as the relevance of the principles of non-interference in internal affairs as articulated in the Charter of the United Nations and the principle of good-neighbourly relations. They also affirm the right of the Iraqi people to a secure and stable life and to determine freely their future through democratic means and to exercise full control over their natural and financial resources. They committed themselves to helping the Iraqi people to reach these goals.

2. To take note of the regional initiative of the neighbours of Iraq and their meeting held in Cairo on 21 July and consider that their efforts are for the benefit of the Iraqi people and in the interest of stability in the region.

3. To stress the leading role of the United Nations in supporting, as circumstances permit, the political process in Iraq as stipulated in paragraphs 4 and 7 of Security Council resolution 1546 (2004). The Ministers welcome the leading role the United Nations has played in terms of advice and support for the process of holding elections, including the recent decision to deploy more electoral staff to Iraq to help with preparations for elections. The Ministers underline the importance of the United Nations continuing to play a leading role, including in promoting national

dialogue and consensus-building on the drafting of a permanent national constitution by the people of Iraq in 2005. The Ministers welcome the efforts of the United Nations and call upon the international community to provide the assistance necessary to protect the United Nations in Iraq. The Ministers also welcome a supporting role by the League of Arab States alongside the role of the United Nations.

4. To consider this meeting a step towards achieving broader participation of the Iraqi political spectrum, thus contributing to the success of the political process. In this respect, they welcome the efforts of the Interim Government of Iraq and other leaders of the Iraqi community to broaden political participation, by encouraging all elements who reject violence to engage in the political and electoral process through peaceful means. In this respect the Ministers encourage the Interim Government of Iraq to convene in Iraq, at the earliest date, before the general elections, representatives of the Iraqi political spectrum and civil society in order to share with them the results of the Sharm El Sheikh meeting, so as to advance nation-building and national reconciliation with the view to encouraging broader participation in the general elections.

5. To welcome all steps taken so far to achieve democracy in Iraq and to encourage the Interim Government of Iraq to continue the political process by holding general elections before the end of January 2005, to a Transitional National Assembly, which will have responsibility for forming a Transitional Government of Iraq and drafting a permanent constitution for Iraq leading to the formation of a constitutionally elected government by 31 December 2005 in line with the timetable endorsed in Security Council resolution 1546 (2004). They also welcome the commitment of the Interim Government of Iraq, acting in the spirit of national dialogue and consensus-building, to promote Iraq's transition to a united, federal, democratic and pluralistic State, in which political and human rights are observed in full measure.

6. To condemn all acts of terrorism in Iraq and call for the immediate cessation of all such acts in order to alleviate the suffering of the Iraqi people, preserve the lives of innocent Iraqis and display respect for their human rights. To also call on all parties to avoid excessive use of force and to exercise maximum self-restraint to avoid violence inflicted on civilians. They also call on the Interim Government of Iraq to deal resolutely, in accordance with international humanitarian law and relevant Security Council resolutions, with the terrorist presence in Iraq and terrorist activities in and from Iraq which threaten the security of its neighbours.

7. To condemn all acts of kidnapping and assassination, including those of civilians working in local and foreign firms for the reconstruction of Iraq, international and humanitarian organizations providing assistance to the Iraqi people, members of diplomatic missions and journalists, to call on all parties to intensify their efforts and to support the Interim Government of Iraq in confronting criminal activities.

8. To call on all parties concerned to take steps to contribute to the stability of Iraq, to reaffirm the obligations of United Nations Member States under Security Council resolution 1546 (2004) to prevent the transit of terrorists to and from Iraq, arms for terrorists, and financing that would support terrorists, and call upon the countries neighbouring Iraq and all concerned international parties to intensify cooperation to control the Iraqi borders.

To that end, they take note of the agreement reached by the countries neighbouring Iraq to intensify their cooperation and note further their call for a meeting of Ministers of the Interior of the countries neighbouring Iraq, as agreed upon at the sixth Meeting of the Countries Neighbouring Iraq, held in Cairo on 21 July 2004.

9. To re-emphasize the importance of following the principles of good-neighbourly relations and non-interference in the internal affairs of other nations as articulated in the Charter of the United Nations, and also to welcome the role played by all parties concerned, including those of the regional organizations, especially the League of Arab States, to create a conducive environment to achieve security and stability in the region. The Ministers encourage measures aimed at building confidence as related to the situation in Iraq.

10. To reiterate that the mandate of the multinational force in Iraq is not open ended: it will expire in accordance with paragraphs 4 and 12 of Security Council resolution 1546 (2004), on completion of the political process. Also to recognize the importance of the consent of the sovereign Government of Iraq for the presence of these forces and that these forces have indicated their commitment to act in accordance with international law including obligations under international humanitarian law, as noted in Security Council resolution 1546 (2004). Also to highlight the need to enable the Iraqi security forces as expeditiously as possible to play an increasingly greater role and to ultimately assume full responsibility for the maintenance of security and stability in Iraq, and to request countries to continue, and where possible increase, their efforts to assist the Interim Government of Iraq in building the capability of these forces, as specified in paragraph 16 of Security Council resolution 1546 (2004).

11. To reiterate the importance of humanitarian assistance and providing support for the reconstruction of Iraq, as well as creating the necessary conditions to achieve economic and social development, thereby contributing to the efforts to achieve stability and security in Iraq. To call also, in this context, on all donor countries and organizations to expedite the disbursement of financial assistance pledged at the October 2003 Madrid meeting of the donors committee, in order to meet the priorities outlined by the Interim Government of Iraq, and to allocate these pledges to specific projects for Iraq, and to encourage further contributions. In this context, the Ministers note the achievements of the Tokyo meeting, in October 2004, in broadening further international cooperation in support of self-help by the Interim Government of Iraq, following its own national development strategy.

To recognize the importance of the effective pursuit by the Interim Government of Iraq of its commitment to the creation of fair and transparent and non-discriminatory conditions that would enable all parties to participate in the reconstruction of Iraq on an equal footing and to the fullest extent possible, for the benefit of Iraqi economic development.

12. To recognize that reduction of debt is a key element in Iraq's reconstruction. In this context, the Ministers welcome the commitments made in this regard by many creditors including those of the Paris Club, and call on Iraq's creditors to take steps to reduce substantially Iraq's sovereign debt.

13. To reaffirm the importance of bringing to justice members of the previous Iraqi regime who have committed war crimes against Iran and Kuwait, and crimes against humanity affecting the Iraqi people.

14. To direct their respective representatives to regularly review progress in fulfilling the commitments and implementing the conclusions reached at this conference and to report to Ministers on the outcome of their follow-up meetings, the first such meeting to take place in February 2005, and to consult with the Iraqi authorities on the possibility of convening future international meetings, including in Iraq.

At the end of the meeting the Ministers expressed their appreciation to the Arab Republic of Egypt for hosting this meeting.

United Nations S/2004/929

Security Council

Distr.: General
30 November 2004

Original: English

Letter dated 30 November 2004 from the President of the Security Council addressed to the Secretary-General

The Security Council recalls its resolution 1546 (2004), in which it welcomed a new phase in Iraq's transition, set forth the mandate of the United Nations Assistance Mission for Iraq (UNAMI), and called upon Member States to provide resources to a distinct entity under unified command of the multinational force with a dedicated mission to provide security for the United Nations presence in Iraq.

Since the adoption of the resolution on 8 June 2004, a number of States have stepped forward to offer forces and financial support to the dedicated United Nations protection force. However, there is no mechanism to receive financial contributions and disburse support to force contributors. Having considered the letter from the Permanent Representative of the Netherlands (S/2004/927) and taking note of your correspondence with the Minister for Foreign Affairs of the Netherlands as President of the European Union, the Security Council welcomes the willingness expressed therein to establish a special account of the United Nations ("trust fund") and specifically endorses the creation of such a trust fund for accepting and administering contributions from Member States for the purpose of financially supporting the "distinct entity" to provide security for the United Nations presence in Iraq mandated by resolution 1546 (2004). In order to recover the full amount of funds pledged, the Security Council requests that you establish the trust fund without delay and no later than 3 December 2004. Delay will slow deployment of forces and mean a loss of financial contributions.

The Security Council welcomes the financial and force contributions of Member States and calls for continued support of UNAMI and its protection force.

(*Signed*) John C. **Danforth**
President of the Security Council

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United Nations S/2004/930

Security Council

Distr.: General
1 December 2004
English
Original: French

Draft resolution

The Security Council,

Recalling its resolution 1545 (2004) of 21 May 2004 and the statement of its President dated 15 August 2004 (S/PRST/2004/30),

Reaffirming its strong commitment to the respect of the sovereignty, independence, territorial integrity and unity of Burundi, and *recalling* the importance of the principles of good-neighbourliness and non-interference, and of regional cooperation,

Reaffirming also its full support for the process of the Arusha Peace and Reconciliation Agreement for Burundi, signed at Arusha on 28 August 2000 (hereafter "the Arusha Agreement"), *calling on* all the Burundian parties to fully honour their commitments, and *assuring* them of its determination to support Burundi's efforts successfully to bring the transition to an end through the holding of a free and fair election,

Welcoming the positive achievements that have been made so far by the Burundian sides, including since the deployment of the United Nations Operation in Burundi (ONUB) on 1 June 2004,

Welcoming in particular the agreement signed in Pretoria by the Burundian parties on 6 August 2004, and the subsequent adoption by the Parliament of an interim Constitution, on 20 October 2004, which provides guarantees for all communities to be represented in the post-Transition institutions,

Encouraging all Burundian parties to continue their dialogue in a spirit of compromise, in particular during the campaign to explain the interim Constitution and the drawing up of the electoral code, with a view to a lasting political solution,

Recalling that there is no alternative to the holding of elections as provided for by the Arusha Agreement, and *calling* on the Transitional authorities to carry through the electoral process scheduled to take place until 22 April 2005,

Paying tribute to the efforts made by the States of the Regional Initiative for Burundi, especially Uganda and the United Republic of Tanzania, and the Facilitation, in particular South Africa, to support the peace process in Burundi, and *encouraging* them to continue to accompany the efforts of the Burundian parties,

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Encouraging also the international donor community to respond to requests from the Government of Burundi to strengthen its national judicial institutions and rule of law capacity,

Condemning all acts of violence as well as violations of human rights and international humanitarian law,

Reiterating its strong condemnation of the Gatumba massacre and *reaffirming* that perpetrators of such crimes must be brought to justice,

Taking note of the joint report of the ONUB, the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and the Office of the United Nations High Commissioner for Human Rights, regarding the Gatumba massacre on 13 August 2004 (S/2004/821), and *taking note* also of the statement of the government of Burundi dated 29 October 2004 (S/2004/867) and of its commitment to bring its investigation into the Gatumba massacre to a prompt conclusion, with international support as appropriate,

Taking note of the report of the Secretary-General dated 15 November 2004 (S/2004/902),

Noting that obstacles remain to Burundi's stability, and *determining* that the situation in this country continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the ONUB, as defined in its resolution 1545 (2004), shall be extended until 1 June 2005;

2. *Urges* all the governments and parties concerned in the region to denounce the use of and incitement to violence, to condemn unequivocally violations of human rights and of international humanitarian law, and actively to cooperate with ONUB and MONUC and with efforts of States aimed at ending impunity;

3. *Calls upon* the governments of the Democratic Republic of the Congo and of Rwanda to cooperate unreservedly with the Government of Burundi to ensure that the investigation into the Gatumba massacre is completed and that those responsible are brought to justice;

4. *Requests* ONUB and MONUC to continue to provide their assistance, within their mandate, to the Burundian and Congolese authorities, with a view to facilitating the completion of the investigation into the Gatumba massacre and to strengthening the security of vulnerable populations;

5. *Deeply troubled* by the fact that Mr. Agathon Rwasa's Forces nationales de liberation (Palipehutu-FNL) have claimed responsibility for the Gatumba massacre, *expresses its intention* to consider appropriate measures that might be taken against those individuals who threaten the peace and national reconciliation process in Burundi;

6. *Requests* the Secretary-General to keep it informed on a regular basis of developments in the situation in Burundi, the implementation of the Arusha Agreement, the execution of ONUB's mandate and the action taken by the Burundian authorities following the Council's recommendations in the fight against impunity, and to submit a report on these developments every three months;

7. *Decides* to remain actively seized of the matter.